THE
NATION

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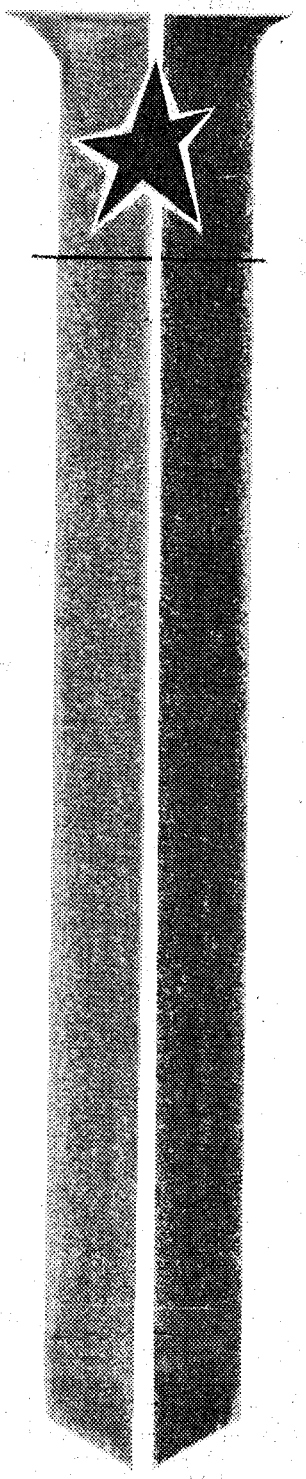

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NEGRO REGISTRATION LAWS

Progress or Evasion?

Thomas I. Emerson

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LETTERS

Call for a Test Ban

Dear Sirs: At the time of the first Pugwash Conference of nuclear scientists, the U.S., the USSR and the U.K. were the sole possessors of the dread secret of the bomb. Over a four-year period, five Pugwash scientific conferences have brought together 112 eminent specialists from twenty-three major nations, East and West, all of the unanimous opinion that weapons of mass annihilation must be universally banned, and that delay can only lead to the eventual possession of the worst forms of weaponry by every country of consequence around the globe.

With the recent French explosion in the Sahara, membership in the nuclear club has increased to four. Unless international agreement is reached soon to prohibit tests and ban nuclear weapons, each of the other nineteen nations on the Pugwash list, along with others, will in all likelihood be equipping itself with nuclear weapons.

These grave considerations dictate the urgency for the early conclusion of a clear-cut ban agreement at Geneva, where negotiations have been dragging along for fifteen months. There can be no hope whatever of agreement at Geneva as long as pressure for further testing, however limited, continues to be successfully exerted on the White House and the Congress by the U.S. Defense Department, the Atomic Energy Commission and the small handful of official scientific advisers with a vested interest in urging the United States to run the risk of more tests.

America's closest Western allies have restrained themselves from open criticism of the U.S. position with the greatest forbearance, but now seem determined to convince world opinion that they, for their part, favor a different course. The Canadian government has just announced a straightforward new foreign policy calling for the end of all nuclear testing and the complete prohibition of nuclear, biological and chemical warfare. At the same time, Great Britain is giving every evidence of intending to follow the Canadian example promptly.

The rivalries that now seem to loom large between the U.S. and the USSR will be overshadowed by the terrible hazards that will confront mankind if twenty-three or more nations become manufacturers of their own nuclear arms. The eyes of the world are focused on the President of the United States, the one man who can make the fateful decision. Let us hope that his concern for humanity and respect for world sentiment, coupled with his profound knowledge of weaponry and broad experience in warfare, will tip the scales toward the immediate end of nuclear testing as the first step in disarmament.

CYRUS S. EATON

Cleveland, O.

Advice and No Consent

Dear Sirs: In reviewing Christiane Rochefort's novel *Warrior's Rest* (Oct. 10, 1959), I criticized Lowell Bair's translation for "rendering Miss Rochefort's vivid ribaldry in technical commonplaces." A New York friend later transmitted to me a rumor that the publisher, McKay, and not Mr. Bair was responsible for thus perverting the book's spirit. This rumor the publisher readily confirmed, insisting that changes in and omissions from the original text of the translation had been made on the advice of legal counsel because, it was felt, the original would leave the publisher open to suit for violation of obscenity codes.

Legally, of course, the publisher, as commissioner of a translation, may make any changes he desires. Morally, and aesthetically, it seems to me his responsibility at the very least is to check such changes with the translator and to permit him to revise, as no doubt he could do most competently, any "offensive" passages. But the publisher performed his bowdlerizations strictly on his own.

Moreover, after the *Lolita* and *Lady Chatterley* tests, one cannot help doubt the wisdom of a prissy legalism which so seriously depreciates a book's value (and, most ironically, its market success). And is it not pernicious for publishers in any case to submit to the fiction that legal opinion is the proper judge, in a free community, of the merit of a book or any part of a book?

PAUL LAUTER

Amherst, Mass.

Senator Morse on Peace

Dear Sirs: I read with great interest the editorial entitled "The Candidates and a Politics of Peace" in the February 6 *Nation*.

For many years now it has been my belief that the greatest issue facing the United States and, in fact, all nations, is that of disarmament. I have tried to point out that if we continue this completely immoral armament race with the Soviet Union, our two countries are bound to lead mankind into a nuclear war. Obtaining binding disarmament agreements and using the machinery of the United Nations to settle international disputes are even more important, in my opinion, than closing the missile gap.

I shall develop this thesis during the forthcoming Presidential campaign.

WAYNE MORSE
U.S. Senator (Oregon)

Washington, D.C.

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NEW YORK, SATURDAY, MARCH 19, 1960
VOLUME 190, No. 12

THE NATION

EDITORIALS

There *IS* a Spirit of Camp David

It is sheer fantasy to deny it. After a decade and a half of bitter and dangerous contention, it was hardly to be expected that the two superpowers would achieve a state of millenial love overnight, but the fact is that the world has gone five months without a major crisis. Had anyone predicted, five months ago, that an acrimonious diplomatic row would break out between the United States and another country, with ambassadors mutually withdrawn and the *chargés d'affaires* being bawled out by the inflamed foreign ministers, it would have been automatically assumed that the Soviet Union was the adversary. It is not: the Republic is being badgered by a neighbor who possesses not a single nuclear device or missile — Cuba. The fact is that the United States and the Soviet Union have adopted, on an experimental and tentative basis, an attitude of mutual forbearance, and the experiment has so far been as successful as any realist in international relations could have expected. The differences remain and there is no expectation that they will be obliterated overnight. The problem is precisely for nations with conflicting ideologies and ways of living to occupy the planet together without blowing it up. For the present, at least, East and West are trying not to exacerbate the difficulties that are bound to arise. Joseph C. Harsch points out in the *Christian Science Monitor* that since World War II, we and the Soviets have been "leaning against" each other, each hoping that the other would yield. Both nations have now abandoned this posture, which was as fatiguing as it was futile, and, from the normal upright position of *Homo sapiens*, are perhaps getting a better view of each other. The Russians, for instance, have been extremely moderate in their most recent statements on the Middle East situation, while our own moderation is shown by the reversal of our announced intention to fly into West Berlin above the 10,000-foot ceiling.

Reasonable or not, this ceiling has been the custom in the air corridor between West Germany and Berlin. The Pentagon decided that it wanted to fly cargo jets at higher altitudes. This may have been for sound aerodynamic reasons, but it looked like a resumption of the leaning technique by those opposed to the Summit talks. The Communist press assumed that this was the motive, and it was joined by non-Communist elements in Britain, Scandinavia and other West European countries, which saw the plan as "provocative." Now the President has decided that the flights are not "operationally necessary" at this time, and the Pentagon has acquiesced. There is nothing humiliating about this sensible procedure; it is merely a correction of a maladroit and inopportune proposal. If our cargo jets would be safer at higher altitudes, General Eisenhower can try to work the matter out with Mr. Khrushchev at the Summit meeting. The spirit of Camp David may be succeeded by the spirit of Paris, and it may develop that if the two sides are less insistent on their rights, both will have more rights to enjoy.

Unchallenged

The Newspaper Guild of New York has given its Page One Award for the best magazine reporting of the year to Fred J. Cook and Gene Gleason for their *Nation* article, "The Shame of New York." Last year Mr. Cook's *Nation* article on the FBI received the Page One Award for the best magazine writing. Two aspects of this year's award merit special emphasis. The first is that the awards committee consisted of three well-known members of the working press: Oliver Pilat, of the New York *Post*, Robert H. Prall, of the New York *World-Telegram & Sun*, and Ralph Jules Frantz of the New York *Herald Tribune*. The other is that the award was accompanied by a citation which reads: [for] "a courageous and unchallenged political survey of our city." To Mayor Robert Wagner, District Attorney Frank Hogan, Robert Moses and assorted sachems of Tammany Hall, we say: "Please note that word 'unchallenged.'"

The Cow with the Crumpled Horn

Protestants have long constituted a majority of church-goers in this country; the Protestant sects have the largest endowments, the richest treasuries and the glossiest ivies on their churches. In most American communities, the reins of social power remain securely held in Protestant hands. So dominant is the Protestant position that there is no word or phrase in common usage to denote hostility toward Protestantism to compare, say, with "anti-Semitic" or "anti-Clerical" or

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"anti-Catholic." In their strength and self-confidence, Protestants have even been able to indulge other groups in the illusion, fostered by local concentrations, that they—the minorities—run the country.

Yet from this country's large herd of sacred cows, the National Council of the Churches of Christ in the U.S.A.—and all that it symbolizes—has been excluded. Rather than a "sacred cow," Protestantism would appear to be "the cow with the crumpled horn." Kicked, goaded, milked and otherwise abused, old Betsy Protestant, fat and gentle, has been willing to chew her cud in good-natured contentment, knowing that she is, after all, the sleekest beast in the pasture and the one with the most blue ribbons. Anyone can twist her tail or beat her unmercifully with the milk stool; she merely rolls her gentle eyes heavenward. It is quite inconceivable, for instance, that the House Un-American Activities Committee would dare charge that American Jewry or the Roman Catholic hierarchy was harboring spies, traitors and saboteurs among, respectively, its rabbis and priests, much less that a Secretary of the Air Force would long remain in office if he appeared to tolerate a smear of either faith of the type involved in the notorious Air Force manual. Yet in his groveling appearance before the House committee, Secretary Sharp left the impression that the Air Force secretly agreed with the committee members.

Here and there, however, a few dignitaries have spoken out in mild protest: Francis Cardinal Spellman, to his credit, has deplored accusations of disloyalty against Protestant chaplains in the armed services (the baptism of fire "clears" them, presumptively) or "on the loyalty of the general body of ministers whom they represent." Who knows, given this gracious gesture, but that Secretary Sharp may yet be able to screw up his courage to the point where, in all manliness, he will inform Chairman Walter that he is withdrawing his withdrawal of the offensive sections of the manual.

The State of "Chassis"

The whole world is in a state of chassis.
—Sean O'Casey

The "chassis" which developed in the marble halls of the United States Senate on March 4 began routinely enough. "Mr. President—" Mr. Fulbright of Arkansas intoned, and was recognized, but by no one except the chair. "Mr. President," Mr. Fulbright said plaintively, "may we have order in the Chamber?" After several minutes of admonition, the Senate came to order, i.e., several Senators began listening to the speaker, who then launched into one of the most resonant orations since Demosthenes spit out his pebbles.

As is the way with great speeches, Mr. Fulbright viewed with alarm. "We endure in an era of total crisis," he began. "The great truths are denied." If any Senators were in doubt, they probably surmised by this time that their colleague was alarmed by communism. In its current manifestation, according to Mr. Fulbright, communism is something new under the sun, for "the sun itself is no longer inviolate and unattainable. For the first time a would-be conqueror could win the world; win it in perhaps thirty minutes." And whose is the fault? Not such distinguished soldiers as former Army Chiefs of Staff Generals Ridgway and Taylor, nor Generals Gavin and Power, nor distinguished journalists like Joseph Alsop and Walter Lippmann, nor yet the Rand Corporation and the Rockefeller Brothers Fund. Mankind moves on ideas and few men of ideas come to Washington — "They are not likely to seek service under a Chief Executive who is scornful of their kind."

In a later chapter of his oration, Senator Fulbright invoked Robert A. Lovett, Robert Sprague and Thomas Watson, Jr., who, as related in last week's *Nation*, are eager to give their all for national survival. Mr. Aiken of Vermont interrupted the flood of eloquence to ask whether the witnesses who had testified to the weaknesses of our defense were not engaged in "the manufacture of munitions or the financing of the manufacture of munitions of war, or . . . hold Government contracts, or . . . would like to have larger Government contracts?" Mr. Fulbright replied that it was inconceivable to him that such men could be motivated "by a desire for personal gain." Recalling Clark Field in 1941, when our aircraft were destroyed on the ground (Mr. Fulbright failed to give due credit to the commanding general, Douglas MacArthur), the speaker was supported by Mr. Johnson of Texas who, in a moving interlude, revealed that his sixteen-year-old daughter had come to his office earlier in the evening to pronounce her verdict on an earlier speech of Senator Fulbright: "Daddy, this is the finest speech I have read in a long time." Vindicating Miss Johnson and his other fans, Mr. Fulbright rose to even greater heights, lamenting the presence of toilet water in drug stores, the passing of the American Indian, and our condition as a "20th century Babylon, headless and heartless, a big, fat target for the ably led Communist world and the clamoring, poverty-ridden new states." On this note he suggested the absence of a quorum and sat down.

In the same issue (March 5) of the *Congressional Record* in which Senator Fulbright's extended remarks are preserved for our posterity (if we have any), Senator Engle of California called the country's attention to the lamentable state of our defenses under the caption, "Two Red Telephones and the Atlas Missile." At Vandenberg Air Force Base, a single Atlas stands ready to fire on twenty minutes' notice, if the young officer in the block house receives the order over one of his two red telephones. About his neck he wears the encapsul-

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ated code word on a chain, just in case he should forget it. The young officer also wears a pistol. It is, of course, traditional for a soldier on such duty to be equipped with a sidearm, but it might be better to let this young officer go unarmed. He might read Senator Fulbright's speech and shoot himself.

Total Sincerity

A trade journal, *Uniforms and Accessories Review,* is our source for additional data on the new ethics of television advertising. On pages 34-35 of its spring issue appear specifications for a du Pont commercial scheduled for screening in May. The "story" will involve the adventures of a nurse, a doctor, a bed patient (young female) and her mother; the moral will be that the best healers wear uniforms made from Dacron Polyester Fibre (du Pont).

The note of ethical purity is struck in the following specification for casting the professional roles:

> The actress selected must be a registered nurse; similarly, an actual doctor must be used in the commercial.

We note with some concern that no assurance is given that the girl in bed will really be sick or that the lady hovering anxiously over her will in fact be her mother. Nevertheless this meticulous casting is a long and wholesome step in the direction of total sincerity. It operates on the double principle that doctors and nurses may properly be hired to model a commercial product and that a product endorsed by a model with a medical degree is certified to be the best that money can buy. Could anyone ask fairer than that?

Is Nixon Getting Soft on Communism?

It is a fixed rule in the demonology of communism that when anyone is accused of softness toward it, he is guilty. If he has proved himself relentless, he could not be attacked, since in every moment of his waking existence he would be hunting Reds and while he slept his encephalograms would show that, like a dog, he is hunting in his dreams. It follows that when Governor Wesley Powell of New Hampshire accused Senator John F. Kennedy of being soft on you-know-what, he had ferreted out something which would shortly become clear to every Red-blooded American. Yet, apprised of Governor Powell's statement, Vice President Nixon saw fit to issue the following statement:

> The Vice President has known and worked with Sen. Kennedy since they served together on the House Labor Committee in 1947. While they have some differences on issues, they have always been in complete agreement in their unalterable opposition to communism at home and abroad.

Governor Powell was understandably indignant and demanded that Mr. Nixon "get on the attack in this election." He reiterated that while Mr. Kennedy might be "loyal," he intended to continue to attack his "soft, straddling record in his approach to the Communist menace." The Governor should not stop there. Mr. Nixon may have climbed to power over the bodies of Jerry Voorhis and Helen Gahagan Douglas, but that was a long time ago. He cannot claim immunity on these grounds today, any more than a woman can lay claim to the title of Miss America 1960 on the strength of having been in the chorus line of the Ziegfield Follies in 1924. Let Mr. Nixon repent and harden himself, or get out of the Presidential race in favor of someone made of sterner stuff, such as Governor Powell.

Bemuse

"Bemuse" is the accepted pronunciation of BMEWS, the Ballistic Missile Early Warning System now in building to thwart the Russians. BMEWS, for those few who are curious about where their money is going, is an advanced radar system, costing up in the billions, the successor to the DEW (Distant Early Warning) line in Canada, which also cost billions but was made obsolete when the Russians inconsiderately went in for missiles instead of aircraft. BMEWS, according to Radio Corporation of America data, is capable of detecting a flying object the size of a house door at a distance of about 3,000 miles. It will be installed at Yorkshire, England; Clear, Alaska; and Thule, Greenland. The Thule equipment is presently housed in a gigantic plastic globe or radome at Moorestown, N.J., whence, as one science writer puts it, Radio Corporation of America scientists "hope it will be able to see missiles: missiles rising, war-bound from the Soviet Union, loaded with hydrogen bombs and headed for New York, Chicago and other American cities." If this means what it says, the scientists' hopes will not be widely shared.

Some of our scientists and engineers are inebriated by their achievements — the same technological fury has no doubt possessed the Russian geniuses — but the prospect is that their latest creations, like their earlier ones, will serve no other purpose than to give them something to discuss in their learned societies. BMEWS, for all its complexity and cost, will give only fifteen minutes' warning of an ICBM's approach. But if we or the Soviets go mad and launch an attack, it is scarcely likely that fewer than hundreds of ICBMs will be sent into action. Warning will be of little avail except to insure that suicide will be mutual. Nor is there any assurance, if insanity prevails, that ICBMs will be used. The Russians could just as well send submarines to within IRBM range of American shores, or closer, and leave BMEWS scanning the skies irrelevantly. There may be a political solution for the missile woes of the nations; there is certainly no technological solution.

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NEGRO REGISTRATION LAWS . . *by Thomas I. Emerson*

IN THE excitement over parliamentary maneuver, we seem to be overlooking the serious substantive problems involved in formulating an adequate federal voting bill. The fact is that neither of the two leading bills now before Congress, if enacted in present form, is likely to result in the voting of more than a few thousand Negro citizens in a few scattered districts.

The basic Constitutional issues are not hard to resolve. As to Senators and Representatives, the Constitution gives Congress power to regulate the "times, places and manner of holding elections." A similar power is implied with respect to the election of President and Vice President. Constitutional experts agree that Congress has full authority to take over the entire federal election process, including registration, voting and counting of ballots in both primary and final elections, or any part of that process.

So far as concerns the election of state officials, the powers of Congress rest mainly upon the Fourteenth and Fifteenth Amendments. These give the federal government, acting through the courts or through legislation, authority to prevent any form of state action which denies equal protection of the laws or abridges the right to vote on account of race, color, or previous condition of servitude. Here, too, the powers of Congress are entirely adequate. To enforce the Fourteenth and Fifteenth Amendments, Congress can assume control over all or any part of state elections.

The formulation of concrete methods for making these powers effective, however, poses far more troublesome issues. Experience over nearly a century, as well as currently, sharply focuses the difficulties and frustrations of federal efforts to eliminate racial discrimination. As long ago as 1880 the Supreme Court held that discrimination against Negroes in the selection of juries was a denial of equal protection and nullified the trial of any Negro properly raising the question. But such discrimination is still widespread in the South.

Southern resistance to the segregation decision of the Supreme Court makes the point even more plainly. Nearly six years after pronouncement of that decision, not a single Negro child goes to school with a white child in five Southern states. In five other states, there exists today only token integration, limited to a few dozen or a few hundred Negro children. In the process of thwarting the Supreme Court's decision, the eleven Southern states have, during the six-year period, enacted several hundred evasive laws. At least no one can say the South has not given the proponents of equality in voting full warning of what to expect.

Not only the degree of resistance, but the sheer magnitude of the problem, must be recognized. The report of the Civil Rights Commission last year estimated that in 1956 the total number of Negroes registered to vote in the South was 1,200,000, out of 5,000,000 Negroes of voting age in the area. This constituted 25 per cent of the potential voters, as contrasted with a 60 per cent white registration. If the percentage of Negroes registered were brought up even with the whites — assuming the white proportion remained the same — it would mean enrolling 1,700,000 new voters. Even if a far more modest increase were achieved in Negro voting — say a 10 per cent increase over present figures— it would be necessary for the federal registration system to register 500,000 new voters.

THE assumption underlying all proposals for new legislation is that no substantial increase in Negro voting can be achieved in the foreseeable future through court proceedings under existing statutes. Those statutes do, in theory, protect the Negro citizen against discrimination in registration or voting, and are enforceable by criminal prosecution, injunction proceedings and suits for damages. But the judicial process has proved inadequate to the task, as the Civil Rights Commission indicated.

The reason for this is partly that the Department of Justice has never undertaken any large-scale enforcement program. No criminal prosecutions have been brought in recent years. Since the passage of the Civil Rights Act of 1957, giving the Attorney General power to institute injunction suits, the Department of Justice has commenced only four such proceedings. The department justifies this lack of action on the ground that it is necessary to proceed slowly until the Supreme Court has passed on the legal issues. But these issues are actually settled, and the explanation of the department's record is more political than legal.

Another, and more basic, reason for the failure of existing laws is that the criminal prosecution, the injunction and the assessment of damages are simply inadequate tools for coping with the infinite variety of discriminatory practices employed by a multitude of local officials. Some more direct control over registration and voting is essential.

STARTING from this premise, there are several possibilities. One is for the federal government to take full control over registration and voting machinery in federal elections and, if necessary, in state elections. Another is the enactment of a Constitutional amendment eliminating all qualifications for voting except age and residence. The bills currently under consideration, however, follow a more moderate and less certain course. They are all based upon the recommendation of the Civil Rights Commission that federal registrars be appointed to register those citizens who are being discriminated against. And they all rely upon the judicial process—criminal or injunctive — to assure that such federally registered voters will be allowed to vote and have their votes counted.

There are now three main proposals before Congress. One is a bill

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drafted by Attorney General Rogers and introduced by Senator Dirksen as the Administration's program. It provides that if, in an injunction proceeding brought under the Civil Rights Act of 1957, the court finds a pattern or practice of discrimination, it may appoint a Voting Referee empowered to recommend to the court the registration of all qualified persons who have been denied registration by state officials. A refusal to allow any person registered by the court to vote is punishable as a contempt of court.

A second proposal has been offered by Senator Hennings, Chairman of the Senate Rules Committee. This likewise commences with an injunction proceeding under the Civil Rights Act in which the court must find a pattern or practice of discrimination. Upon such a finding, the President is authorized to appoint a Federal Enrollment Officer for the election district, who may register any individual who claims discrimination. The right of such individual to vote is enforced through a supplemental injunction proceeding or criminal prosecution.

A third proposal, embodied in a bill introduced by Senators Javits and Douglas, combines the original commission proposal, with modifications, and the Attorney General's bill. It authorizes the President, without any preliminary administrative or judicial proceeding, to appoint Federal Registrars authorized to register any person from an election district who is a member of the group being discriminated against. Such persons are eligible to vote in federal elections. The bill also includes the Attorney General's procedure for registration by Voting Referees of persons who will thereupon be entitled to vote in both federal and state elections.

IN the House the Rules Committee has finally reported out a civil rights bill embodying recommendations made by the Administration last year, which does not include any provision for federal voting registrars. But the House bill is open to amendment and the Attorney General's, and probably other proposals, will be offered from the floor.

The effectiveness of these various proposals must be measured by the manner in which they deal with four main problems posed by a federal registrar system.

1. The Appointment of Federal Registrars or Referees. The first, and perhaps the most crucial, step is the appointment of the federal registration official. The essential point here is that the procedure be simple and expeditious. A formal administrative or judicial proceeding, involving the taking of evidence, a finding of discrimination in individual cases, reviews, appeals and all the intricacies of protracted litigation, is simply unworkable on the scale necessary to achieve results.

BOTH the Attorney General's bill and the Hennings bill are seriously, indeed fatally, defective in this respect. As a condition of appointment of a Voting Referee or Federal Enrollment Officer, they require a full-scale judicial proceeding, *in each election district,* in which proof must be made not only of individual cases, but of a pattern or practice of discrimination. On the basis of past experience the number of such lawsuits which could be successfully completed in the course of several years would be insignificant in relation to the number of election districts where discrimination now takes place. And if the Southern states reacted, as we must expect, by increasing the number of election districts, the number of Negroes registered would be even smaller.

The Douglas-Javits bill solves this problem, as to federal elections, by providing that the President may appoint Registrars for any election district in a county where he has reason to believe that discrimination occurs. No formal administrative or judicial proceeding is required. This simplified procedure is entirely appropriate and legal. The question of whether to appoint a federal registration official is essentially a matter of legislative policy, turning upon general conditions in the area, not on proof of discrimination against any individual.

The Douglas-Javits bill, however, does not extend the simplified procedure to registration for voting in state elections. The assumption is that, in many or most areas where Negroes obtain the vote in federal elections, political and practical forces at work will give them the vote in state elections. Moreover, if voting in state elections is refused to federally registered voters, proof of discrimination in criminal or injunction proceedings is greatly facilitated. Should this result not be realized, the Douglas-Javits bill makes available the same procedure as in the Attorney General's bill for the appointment of Voting Referees.

2. Who is Eligible to Register? Once a federal official has been appointed, who should have the right to register with him? The best system is one which defines broadly the category of those eligible and places the fewest conditions upon their right to apply.

Here, also, the Attorney General's bill is both restrictive and complicated. It conditions the right to register upon proof that the applicant has previously been denied the opportunity to register by state officials or rejected by them. This does not meet the problem. The devices employed to prevent Negro voting in the South are designed not only to reject the relatively few Negroes who actually apply for registration, but to discourage the great majority from making the attempt at all. Thus, to require each applicant to show that he has applied to state officials, or been affirmatively prevented from doing so, adds an unnecessary complication and forces the applicant to undergo the humiliation and risk of exhausting state procedures.

The Hennings bill and the Douglas-Javits bill are much preferable in this respect. They authorize the federal official to register anyone in the category discriminated against, that is, any Negro in the election district.

3. Procedure in Registering. A third factor in any scheme of federal registration involves the actual procedure of registration. This should be done in the usual way, by the applicant simply presenting himself before the federal registration official and establishing his qualifications. To the extent that this process becomes an adversary proceeding, in which hostile state officials oppose

(*Continued on page 264*)

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TITANS, OLD FOLKS AND FEEBLE CLERKS

VISTA OF THE '60s . . *by Edward W. Ziegler*

I

YESTERDAY, a group of metal-trades workers won a small fringe-benefit increase. Their new measure of security is as illusory as it will be short-lived. For they will not long have the jobs with which their new benefits go.

Today, industrial management, alarmed by high labor costs, firmly resolves to find a substitute for the expensive manpower in the plant.

Tomorrow, a new milling machine controlled by punched paper tape will move into the plant and the "secure" jobs will vanish. Not all at a blow, but steadily and certainly.

Thus, quietly, the American industrial hourly work force is disintegrating.

Even middle management is losing its outposts of power. That great Sahara of Mediocrity made up of men above the rank of foreman and below the rank of vice president is attenuating. "Recentralization," a word seldom heard, is a practice that will increase with each passing year. It will obliterate the middle managers' celebrated teamwork, shatter their hopes of advancement and leave them a group of feeble clerks.

Real corporate power will concentrate into fewer and fewer hands — the eager hands of a top management that controls what it does not own. The Titans of industry will be beholden to no one save the stockholders, their own consciences and a potent High Priesthood of scientists who will form a staff elite possessing immense power.

At the same time, an aging population will increasingly become a population on fixed incomes. Those people over sixty-five and retired will have long outpaced the withered industrial work force in total numbers and in political power. As medical science prolongs lives, and thereby increases the proportion of old people in the nation, a new set of political and economic conditions will assume the dimensions of majority will.

This inquiry centers on three of the most obvious effects of the radical changes we are now undergoing and then attempts to examine some of the less obvious effects and their future course.

As the production powers of America become increasingly concentrated, a marked change in the equilibrium of interests is already manifest. Probably the quickest way to get to the core of the matter is to consider, first, the agents of change (the three principal economic pressure groups) and their several interests.

The division of society into propertied and non-propertied classes is now an archaic nomenclature. Today the lines must be drawn among the three basic power blocs that interact and tend to counterbalance each other:

1. The salaried, managerial-professional class that controls (but does not own) industry and the organizations of finance and commerce;

2. The wage-earning industrial work force that acts — through its unions — as the "loyal opposition" to management's "establishment" and checks the inequities that management may promote;

3. The fixed-income, retired class (or rentiers) that tends to align itself with management in economic interests, but is a class distinct because of its unproductive nature.

As with any generalization, this division is not entirely precise; but it will give passable service. Again, to generalize, both managers and rentiers are growing in power at the expense of the wage earners.

It is appropriate, then, to examine closely what is happening to the disintegrating bloc of wage earners.

II

> I think that, upon the whole, it may be asserted that a slow and gradual rise of wages is one of the general laws of democratic communities. In proportion as social conditions become more equal, wages rise; and as wages are higher social conditions become more equal.

Thus wrote de Tocqueville in *Democracy in America* in the eighteenth century. More than half way through the twentieth century — March, 1958, to be exact — a worker named Roosevelt Barton was laid off at Chrysler's Detroit body plant. Barton took the blow philosophically. The same thing was happening to many others who were making $2 an hour, as he was. Even if he was unskilled, there would be another good job soon. At the very least, there would be the unemployment check every week until things picked up again.

A year later he was still waiting. His old job didn't exist any more. And what was harder for him to understand was that his old plant was offering its remaining workers overtime. "I could understand it at first," he said. "Sure. Car sales were down . . . they had to do something. But things are changed now and I got to drive a truck for a dry cleaner at $65 a week because I couldn't get the job back at the factory. And the wife's got to work at day work and the kids run free. . . ."

Roosevelt Barton and thousands like him in Detroit were feeling first pangs of "technological unemployment" among the semi-skilled and the unskilled. For many other wage-earning manufacturing workers, the story will be much the same. The young men without skills will be the first to go. A disproportionate number will be Negro. But until the day the wage earner gets laid off, he will be well paid — so well paid that the impersonal logic of cost reduction will oblige his management to do without him.

The clearest indication of what is happening to the wage-earning class can be seen in the membership rolls of the big industrial unions: the Autoworkers, Steelworkers, Electrical Workers, Railroad Brotherhoods and Mineworkers.

During the 1957-'58 recession, 2.4

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million manufacturing jobs disappeared; in recovery, only a fraction was replaced. From an all-time peak of 1.5 million members in 1953, the Autoworkers are down to about 900,000. From 1.3 million members, the Steelworkers have shrunk to about 900,000. The International Union of Electrical Workers have dropped from 400,000 to 300,000. Railway employment has dropped from 1,042,000 (1956) to about 810,000. The Mineworkers, once boasting 700,000 members, today have only 218,000. (The growth of the Teamsters, it should be noted, is the one exception of consequence.)

The big industrial unions form the backbone of the industrial work force. The unions' emasculation by factors beyond their control is undermining the workers' feeling of solidarity. Those still at work in manufacturing are becoming better paid, but their status is changing. The Mineworkers, with a $90-million welfare fund for 218,000 members, is a union far different from the old union of 700,000 members. "They'll get themselves down to ninety members one day, then retire themselves as millionaires," is the way one mine operator put it. His comment serves to illustrate this significant change in status. In a real sense, today's wage earners constitute a new oligarchy of skilled workers who are losing their identity as part of the industrial work force as their real income rises and their number dwindles.

Dwindling union membership figures gain more meaning and substance when added to other evidence. The evidence falls into six broad categories.

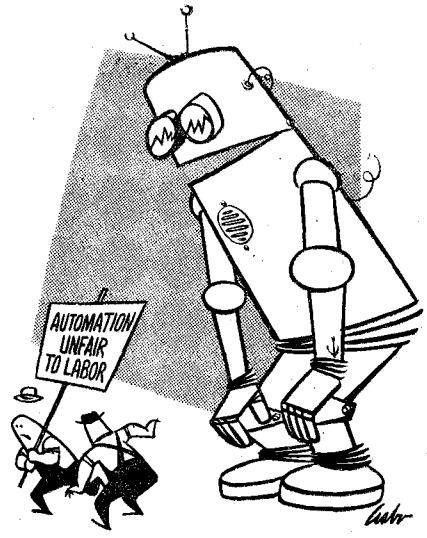
1. The labor force. In 1919, according to Secretary of Labor James P. Mitchell, goods-producing workers outnumbered service workers almost two to one; but by 1958, goods-producing workers numbered about 25 million, while service workers numbered about 30 million.

2. Fixed costs. The rise in fixed costs — rent, amortization and certain taxes and salaries — noted by most experts is a strong indication of a decreasing percentage of total manufacturing costs accounted for by wage earners, as, for the most part, wage costs fluctuate with volume of output. One estimate, made by *Factory* magazine along with the McGraw-Hill Department of Economics (and drawn from the U.S. Bureau of the Census annual *Census of Manufacturers*), listed these aggregate fixed-cost figures (in 1947-'49 dollars): 1939, $26.1 billion; 1947, $46.2 billion; 1950, $55.1 billion; and 1956, $75.3 billion.

3. Number of engineers. Engineers, as is well known, abound in direct proportion to the amount of highly specialized, mechanized production equipment. During a 100 per cent increase in productivity between 1928 and 1955, the number of engineers per 100 industrial workers rose by 250 per cent. To put it another way, in 1928, there was one engineer per 100 workers; in 1952, there were two and a half per 100 workers. On the conservative supposition that there were about 475,000 engineers in industry in mid-1959 (and a work force of 16.5 million, assuming no steel strike), the ratio is now about three per 100.

4. Cost distribution. Labor costs have always ranged between 35 and 55 cents on the cost dollar. Management says its direct and indirect labor costs are by far the heaviest obligation it has to meet. Past history supports this contention, but the present facts do not. The September, 1959, *Monthly Bank Letter* of the First National City Bank of New York lists these costs (in terms of percentages of receipts by 100 of the largest U.S. non-financial corporations) in the year 1958: materials (including goods and services purchased), 54.4 per cent; labor, 26.6 per cent; depreciation, 4.6 per cent; all taxes, 8.1 per cent.

5. Maintenance costs. The extremely costly mechanized and automated equipment that is displacing workers requires specialized and consistent maintenance. Thus the figures *Factory* magazine has used to describe the growth in importance of the maintenance function can be viewed also as an index of the decreasing importance (and rising costliness) of the remaining production labor. In 1947-'49 dollars, the figures for maintenance in the three postwar years compared with 1959



were as follows: 1946, $5.4 billion; 1947, $7.2 billion; 1948, $8.6 billion; and 1959, $14 billion. Adding further significance to these figures is another set of findings developed by the magazine's editors, Carl G. Wyder and Carroll W. Boyce ("Maintenance Management Practices Today," October, 1958), indicating that manufacturing industry is specializing its maintenance in instrumentation, electronics and mechanical-millwright work—all processes that require high skills, high wages and heavy training; and all of which give further indication of the pace of mechanization.

6. Wage increases. The bargaining success of the unions representing the industrial wage earners is another sign of management's incentive to automate more fully. Thus an industry such as the textile industry, which is not regarded as particularly profitable or highly modernized, has granted its workers only 52 per cent more in wages since 1947. The wage figures (uncorrected for inflation) on a per-hour basis are $1.04 in 1947, $1.58 by May, 1959. On the other hand, wages in primary metals (including steel, aluminum and copper) have risen 106 per cent from an average of $1.33 an hour in 1947 to $2.74 an hour in May, 1959. Metals producers have been busily automating for the last decade.

In addition to the steady wage gains, these union members have won an average of twelve fringe benefits, the typical package including unemployment compensation, paid vacations, cost-of-living escalation,

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life insurance, hospitalization insurance and other health benefits, a pension, paid holidays, workmen's compensation, travel insurance, a tuition-refund plan and overtime and shift premiums for working unusual hours. These benefits, of course, are provided jointly by the company and the government. Nevertheless, the cost that the company's portion adds to the basic wage makes management all the more anxious to decrease the hourly work force.

It should be pointed out, in concluding this discussion of the various indexes of the disintegrating industrial work force, that *total* automation is not likely to occur except in those industries that produce a limited number of products of standard manufacturing dimensions and sell them in a mass market. Thus a turbine maker will need his craftsmen and highly skilled production men at least as long as the present basic turbine design remains unchanged. But that serves to emphasize the point at hand: Those workers who remain in industry will themselves become a privileged class, losing their identity with the unskilled (the traditional fabric of the wage-earning class). In their disorganization, the poorest, least skilled will have no suitable bargaining position within institutions now available to them from which to redress the inequities they suffer.

THE SIX indexes we have examined have a relationship to the marked rise in productivity achieved by industry in the past thirty years. Since 1928, productivity has doubled. Since 1880, it has quintupled. There is a distinct relationship between increasing productivity, increasing labor costs, a weakening wage-earning class and increasing automation. Ewan Clague, Commissioner of Labor Statistics of the U.S. Department of Labor, said the Labor Relations and Arbitration Conference at San Francisco in May, 1959:

> Over a long period of time there is a reasonably close relationship between output per man-hour and the real hourly wage income of workers. . . . Since World War II there has been a change in the composition of the labor force in manufacturing. . . . There has been a difference in the growth of production workers since 1947 as compared with all employees. In January, 1948, production workers numbered about 13 million and non-production workers numbered a little more than 2½ million. The latter includes supervisors, engineers, economists, statisticians, scientists and other such groups. Note that production workers fluctuate with the business cycle, rising in prosperity and falling in business recession. On the other hand, there is less variation in the employment of non-production workers. In January, 1959, eleven years later, production workers numbered less than 12 million, while non-production workers had risen to nearly 4 million. . . .

Hence it is clear that the wage-earning class not only is weakening, but that its poorest members — as always — bear the brunt of business recessions. Without a skill, you don't draw top pay; without a skill, you are the first man laid off. Proportionately, those least able to pay, pay the most. As the strength of the wage-earner class diminishes, it will find itself increasingly helpless to bargain for the security enjoyed by non-production labor during times of business distress.

Thus the business cycle, the wage spiral, the march of automation, increasing productivity, advancing technology and an expanding economy all work together to diminish the power of the wage earner; to drive him from his traditional central role in manufacturing industry and to send him on his own Diaspora into less integrated, widely scattered service industries where his union—if any—will be equally scattered and feckless.

TO GAUGE the pace of the disintegration of the industrial work force, it is well to consider the different types of automation (which range from the negligible to the complete). This will serve not only to illustrate the probable pace of disintegration, but also to illustrate a strange paradox of automation: The lower the level of automated machinery, the higher the production skill required to operate it, and the higher the level, the less skill. Thus, as James R. Bright (writing in the *Harvard Business Review* of July-August, 1958) put it: "In the metal-working field, the effect of automatic cycling is to substitute workers of lesser training (machine operators) for machinists."

Bright's study ("Does Automation Raise Skill Requirements?") went on to list seventeen levels of automation. The first — and lowest — range includes hand, hand tool, powered hand tool, and a power tool with hand control; the range is called "Hand Control." His second range starts with a tool performing a single function on a fixed cycle, the same sort of tool with a sequence of fixed functions, a remote-controlled power tool, and a tool actuated by the introduction of a piece of material. This range is called "Mechanical Control."

The third range, classified by Bright as the "Variable Signal Response" level, ranges from a tool that measures the characteristics of the work to a tool that records performance. His fourth—and ultimate range — is labeled "Variable Control." It includes extremely sophisticated devices (such as tools that respond in speed, position and direction to a measurement signal), and ranges up to tools that anticipate action required and adjust themselves accordingly.

"At some point above level four (i.e., above the first range) the education required by the worker no longer increases," Bright concludes. He adds that in terms of physical effort, manipulative skill, experience, responsibility and influence on productivity, the worker's contribution is generally decreasing and, in many instances, is already nil.

It seems safe to conclude, then, that the need for the production worker will continue to drop along with the need for higher skills among wage earners (at least among those not already possessing them). As a result, what can be expected to happen is that a certain portion of middle-management will become downgraded to fill the gap that is too broad for the wage earner to bridge. In a few instances, no doubt, the most intelligent, best-trained workers will have a chance to jump the chasm; but not many and not often.

WE HAVE discussed the disintegration of the industrial work force in

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general terms. Now let us examine in specific terms the effects of what industry calls "cost reduction" or "cost improvement" in two typical plants. (Both terms describe *labor*-cost reduction, in the main. To the degree that labor-cost reduction succeeds, the hourly work force in the plant diminishes in number and in power.)

At the Sturtevant Division of the Westinghouse Electric Corporation, in Hyde Park, Mass., the 1959 budget for cost reduction was $600,000. In 1956, the century-old plant cut $403,000 in costs; in 1957, the figure was $602,000; and in 1958, it was $493,000.

A good example of a cost-cutting project at Sturtevant is a one-man assembly line for an air-cleaner unit. One operator lowers an air-cleaning sub-assembly onto a roller conveyor, and then, by means of an intricate system of overhead conveyors, brings all the components together in fifty-seven minutes. The same job used to take 105 minutes. At the end of the line, he feeds the finished and crated unit to a large C-hook that lifts the unit off to the shipping dock. This is typical of how "cost reduction" cuts the labor force in an old plant.

IN NEW plants, the story is the same — only more so. When Westinghouse built its new transformer plant in Athens, Georgia, it engineered the entire layout for maximum machine production. In its 560,000 square feet of floor space, the plant has only 200 production and maintenance workers. With the managerial, engineering and other staff personnel added, there are fewer than 400 employees in all. In terms of population density, that makes the Athens plant less than three times denser than the average suburban subdivision if you figure a family of four has a one-third acre lot (about 15,000 square feet) for its own. (Four men at the Athens plant have 5,600 square feet in which to roam.)

No man in this plant picks up an object weighing more than two pounds. In building the body of the high-voltage Westinghouse transformer, fifteen *automatic* welding machines, ten *automatic* positioners, and two *automatic* turnover devices perform fifty-five assembly operations on any of thirty-two different pieces without a single production worker.

IN 1949, SIXTEEN of every 100 manufacturing employees were white-collar workers; in 1959, the ratio rose to twenty-three. Workers who remain in manufacturing will increasingly reach white-collar status. A University of Chicago research group estimates that the proportion of white-collar workers in the entire civilian labor force rose from 5.7 per cent in 1870 to 15 per cent in 1910 and to 27 per cent in 1950. Today the figure is probably close to 33 per cent. But only 16 per cent of these workers are unionized.

The differences in dress and style of life — even in manner of speech — set the white-collar worker apart (at least in his own mind) from the wage earner. Additionally, the white-collar worker, for the most part, can work at his own desk, be in physical proximity to management, be relieved of over-the-shoulder supervision, move about the office when he pleases, carry on an active social life over corporate phones, and work just nine-to-five.

Industry is not insensible to the psychological balm of status. The public relations department of the big corporation is trying to expunge the word "worker" from its lexicon; the payroll consists of "employees," not "workers." Steel, hoping to gain all the support it could in its 1959 battle with the United Steelworkers, had not laid off any of its white-collar workers in Pittsburgh after seventy-one days of the strike, despite the fact that these workers were playing gin rummy on the job, taking 180-minute lunch hours, and anxiously awaiting work assignments that were not forthcoming. In contrast, in the thirty-five-day strike of 1956, the companies laid off office and clerical help and put low-echelon managers on short work weeks after just a few days.

The sort of attitude that will become increasingly typical of workers granted white-collar security is well summed up by these phone company workers (as noted in 1958 by Joel Seidman's University of Chicago Press book, *The Worker Views His Union*):

> I think the public thinks pretty well-respected people work for the phone company. And as a general rule, when you talk to anybody and tell them that you work for the telephone company they tell you that you have a good thing there. . . . They don't take you as a laborer or somebody. They attach a little prestige to it; and the people who work here, I guess, feel the same way.
>
> They [the union] put out a paper and they show a very radical attitude. . . . And they always print all the bad things the company does and they make it sound so much worse than it is; it's so colored, so prejudiced — as if the company is your enemy.

The industrial work force disintegrates at just the time when a new codicil has been tacked onto the American dream: Respectability with Security. Workers who remain in manufacturing industry will associate themselves more with the middle-class instincts of the white-collar employee and will — as their corporations wish — call themselves employees, not workers.

As one observer has suggested, "One approach [to promoting cooperative motivation among workers] is to associate the workers' interests more closely with the management's, so that they will be willing to bear the risks and frustrations. . . . Profit-sharing plans and yearly salaries are ways of doing this."

Whether anyone sets out to associate the interests of the two groups more closely or not, they will automatically become more closely associated as the industrial work force continues to wither. The wages of those who stay will become their salaries; their militant solidarity will become prim respectability; and their sympathy for their fellow workingmen will become affection for the firm that employs them.

So much for our inquiry into the disintegrating industrial work force. Coincident to this change is a far subtler alteration going on in management that will have equally far-reaching effects.

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III

The changes taking place in management have attributes similar to the changes taking place in the general economy. Whereas the three principal groups in the economy at large are the manager-professionals, the industrial work force and the retired persons, or rentiers, the divisions within management are top management, the "High Priesthood" (or staff elite) and middle management. Both top management and the High Priests are gaining power at the expense of middle management, just as in the economy at large, management and the fixed-income population are gaining power at the expense of the industrial work force.

Recentralization is bringing more power back to headquarters management, while vastly increased industrial-research expenditures (up more than 160 per cent from 1953-'54 to 1959-'60) are indicative of the growing importance of the scientific-engineering contribution to industry. The middle manager, meanwhile, loses power as more of the daily decisions which he once provided become the responsibility of centralized computers and the High Priesthood.

"If you think you've seen a lot of changes in business, just stick around a few years." That is what a senior partner in a management consulting firm told *Dun's Review & Modern Industry* magazine. "In one way or the other," said the magazine, "many top executives are saying the same. And they're not just talking about market shifts and technological changes. Equally significant . . . are the sweeping organizational changes taking place today in industry." ("Top Management Tightens Controls," July, 1959.)

Hundreds of companies that decentralized right after the war are recentralizing again. Among them are Rheem Manufacturing Co., American Bosch Arma Corp., Raytheon Manufacturing Co., Socony-Mobil, American Brake Shoe Co., and Olin Mathieson. Recentralization is motivated by the desire to control costs by means of co-ordinating marketing, finance and long-range planning. Before recentralization, Olin Mathieson's fifty plants and various autonomous divisions "were running off in different directions and the company soon was falling apart under its own weight." American Bosch Arma's "talented engineers . . . had lots of interesting irons in the fire, but costs were so high and accounting so poor that the company was racing toward Skid Row. . . ."

As the "cost-push" continues, the pressures for recentralization are sure to grow. Harold J. Leavitt of Carnegie Tech and Thomas L. Whisler of the University of Chicago, looking forward to the 1980s, have concluded that a new technology of management that they call "information technology" will totally redistribute management organization and the control of managerial power. Writing in the November-December, 1958, *Harvard Business Review* on "Management in the 1980s," Leavitt-Whisler predict four major developments:

¶*1.* Information technology should move the boundary between planning and performance upward. Just as planning was taken from the hourly worker and given to the industrial engineer, we now expect it to be taken from . . . middle managers and given to . . . specialists. Jobs at today's middle-management level will become . . . covered by sets of operating rules governing the day-to-day decisions that are made.

¶*2.* Large industrial organizations will recentralize, top management will take over an even larger proportion of the innovating, planning and other "creative" functions.

¶*3.* A radical reorganization of middle-management levels . . . with certain . . . jobs moving downward . . . while other[s] . . . move upward into . . . top management.

¶*4.* The line separating . . . top from . . . middle [management] will be drawn more clearly and impenetrably than ever, much like the line drawn in the last few decades between hourly workers and first-line supervisors.

Leavitt-Whisler foresee an increased emphasis on creativity, along with the Titans' growing ability to control their middle management. "Decentralization," they say, "has been largely negatively motivated. Top managers have backed into it because they have been unable to keep up with size and technology." But the new age "promises to allow fewer people to do more work . . . [and holds the] . . . promise of allow[ing] the top to control the middle. . . ."

IMPLICIT in this discussion (as in the preceding discussion of the disintegration of the industrial work force) is the growing centrality of the electronic computer and data-processing techniques to industrial progress. The history of that development was sketched by Jay W. Forrester, Professor of Industrial Dynamics at M.I.T., in a *Harvard Business Review* (July-August, 1958) article, "Industrial Dynamics." Forrester saw the growth of data processing as falling into five five-year phases:

> ¶From 1945 to 1950 was the period of electronic research and the demonstration that machines having many thousand vacuum tubes would indeed operate.
>
> ¶From 1950 to 1955 was the pioneering period in applying computers to the solution of scientific and engineering problems.
>
> ¶During the present period, 1955 to 1960, electronic machines are being substituted for clerical effort in commercial organizations.
>
> ¶From 1960 to 1965 we can expect to see the application of digital computers to physical process control. Already there are digital machine-tool controls. . . .
>
> ¶From 1965 to 1970 we should see all these developments converging into pioneering developments in the central management process. The routine, repetitive types of decisions will become more formalized, while management creativeness will be directed to *how* decisions and policies should be made rather than to the actual repetitive making of such decisions.

The "feedback" accorded the Titans by their data-processing ganglia will allow them to enlarge further their central role in the economic affairs of the nation. Ultimately, immense power will funnel into the hands of, at most, 10,000 men who direct the nation's 500 largest corporations.

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We shall return to a discussion of the Titans' power and interests once we have explored the growth of the staff elite and the metamorphosis of middle management more fully.

DR. IRVING P. KRICK of Denver, Colo., is earning his keep at the Shell Oil Company. Dr. Krick predicts the weather. In early 1958, he gave Shell a set of predictions covering the weather in eighteen marketing areas. For the nation as a whole, he was 99 per cent right. But his outstanding accomplishment wasn't his highly accurate over-all forecast; it was his warning that December, 1958, would be much colder than normal.

"The oil industry," observed *Petroleum Week* magazine, "stands to gain greatly from any consistent improvement in predicting the weather. W. J. Sweeney, vice president of Esso Research & Engineering Co., has told the American Petroleum Institute that even a 50 per cent improvement in seasonal . . . forecasting could save the oil industry $100 million a year in reduced tankage costs and savings in lower inventories."

General Electric's recent reorganization of its "human relations" apparatus into a single department in charge of a full-fledged vice president is further indication of the growth of the staff elite. The task of G. E. social scientists is to find out "what it is that motivates people . . . to do a better job." Behavioral scientists are becoming more and more important to industry, not only in "human engineering" but in designing and distributing new products and services.

The increasing entry of industry into research is another symptom. The figures are illuminating. According to a survey conducted by the McGraw-Hill Department of Economics, the outlay for industrial research almost doubled between 1953 and 1957. Even in the recession year of 1958 the total expenditure was in excess of $7 billion. The jolt that Russian competition has given to military and defense research in America has been transmitted — almost at full force — to industrial research as well. *Fortune*, in January, 1957, estimated a total research and development ex-

penditure in the 1959-'69 decade of $160 billion. By January, 1960, *Business Week* was estimating an annual total of $28 billion for research by 1969.

UNTIL THE present, one fact that has been slow to impress itself on industry is that there is a considerable time lag between initiation of a research program and tangible, salable results. This lag has given all but the most progressive corporations a bad case of research ambivalence and has disturbed traditional "practical" values. Hard-headed, accountancy-orientated companies have been notably unprogressive, whereas sales-orientated companies like du Pont, General Electric and Reynolds Metals have shown in their profit figures the uses of a more venturesome spirit. Yet often the very nature of research ill accords with "practicality," as was evidenced when former General Motors president Charles Wilson—an eminently practical man—indicated that "Research is what you do when you don't know what you're doing."

The capricious fate that produces valuable new processes and products in random fashion has made most of industry shy away until recently. Consequently the scientist has not felt at home in an industrial environment. But all that is changing. An industry that remembers that stainless steel was developed by mistake, that nylon just happened, and that the transistor was discovered incidentally, is adopting a new stance.

The insatiable hunger for more sales ultimately requires new products (and, more ominously, an advertising effort to "create" the need for these new products). This year, new products will account for 13 per cent of all manufacturers' sales (compared with 8 per cent in 1956), according to McGraw-Hill findings. And the same survey also reported the following pattern of relationships between capital expenditures for expansion of production of old products and expansion of production for new products:

Shift in Capital Spending
(in pct. of total spending)

	1956	*'60*	*'65*
Old Products	46	30	22
New Products	6	17	30
New tools and processes	48	53	48
Total new expenditures	54	70	78

Source: "Survey of Manufacturing Industry, 1958," McGraw-Hill.

Thus industry's increasing dependence on research—and therefore on its High Priesthood—will sooner or later result in a high degree of independence and power for the men who will be the principal source of increased sales potential. But it will also result in a long-range downgrading of the status, numerical importance and authority of middle-management positions. In fact the high authority to which middle management has risen will be viewed, in retrospect, as an organizational fluke.

Imagine, for instance, the ABC Manufacturing Company's Eastern Plant, which last year produced $1,860,000 worth of Whammits. Its net profit was $96,000; it spent $360,000 for direct labor, $540,000 for direct material and $234,000 for manufacturing overhead in winning its profit.

Middle management at Eastern had always supervised the control of direct labor (including regular time, overtime, bonuses, taxes and fringe benefits); direct materials (including opening and closing inventory management); and overhead (including supervision, inspection, fuel, power, supplies, maintenance and repairs).

But sooner or later the greater part of these control functions can and will be "computerized," and the computers will be programed by men who know far less about plant operations than they know about

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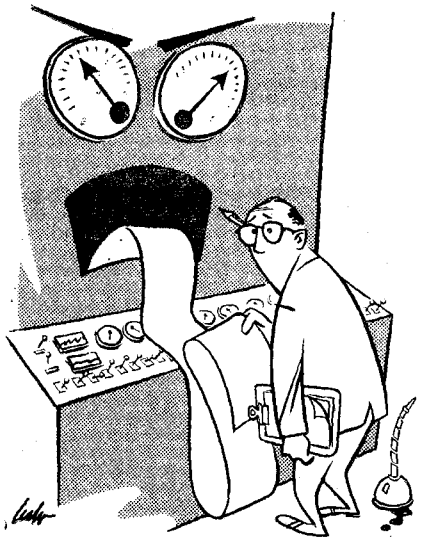

mathematics. Functions aimed at controlling direct costs of labor (such as methods improvements, plant layout, production planning, sales co-ordination and accounting) will respond to the unafraid clacking of a computer. Direct-material functions (like quality control, value analysis, inventory control) will follow the same course. Manufacturing overhead (for example, material handling and certain types of scheduling) will likewise be governed by the impersonal and remote judgment of a computer that gets its sense of values from the High Priesthood.

Thus middle management has good prospects of mutating into a class more in keeping with its lust for security—a class of docile and feeble clerks.

IV

While the industrial work force decomposes and management grows more highly structured, the fixed-income class—increasing with the increase in longevity—becomes a vastly more influential power bloc. Its demand for a stable dollar will meet with sympathetic response from the Titans. What better way to fight off higher wages than by a sturdy stand in favor of price stability and against "inflation"?

In July, 1959, 67,596,000 Americans were at work (2,500,000 were in the armed services, and about 3,500,000 were unemployed). Of the total number at work, 12,212,000, or 18 per cent, were in the industrial work force (identified in the federal census as "operators"). The next largest group, clerks, acounted for 13.8 per cent of the total, while craftsmen-foremen, the third largest group, accounted for 13.2 per cent.

But already, by 1959, the fixed-income population had surpassed the industrial work force. With a membership of about 14,000,000, the old folk represented a bloc equivalent to more than 21 per cent of the entire active group of working Americans. Even if we include some of the craftsman-foreman category and some service workers as part of the industrial work force, it would contain, at most, no more than 14,000,000 members. At the most liberal estimate, then, the industrial work force is no larger than the fixed-income group.

But figures put out by the Census Bureau indicate a rapid growth of the fixed-income population. The population estimates for "over-sixty-five" Americans (drawn from the Census Bureau Series P-25, No. 187, "Current Population Reports—Population Estimates") are as follows: 1960, 15.8 million; 1965, 17.4 million; 1970, 19.6 million; 1975, 21.9 million; and 1980, 24.5 million.

In this same period, as we have seen, the industrial work force will become severely attenuated and will probably have ceased to operate as an effective economic power bloc. (That is not to say that the entire "wage-earner" class will be dispersed; far from it. The point is, rather, that its solidarity and cohesiveness will be so weakened that it will no longer constitute an effective countervailing force.)

"If you stand still in this business," a General Electric vice president used to quote, "you only move backward. . . ." That is precisely the problem caused by the rising demand for stability by the fixed-income Americans. Their understandable preoccupation with a stable dollar has already had much to do with the direction of the great debate in Washington on price stability versus economic growth. The fixed-income population's interests have had no small part in shaping the public opinion that seems to support President Eisenhower's tight-money, anti-inflation policy. Indeed, the present relative price stability is evidence that this group is finally regaining some of the political power it had lost to the industrial work force in the years of the New Deal. But the old folks and the laborers can ill afford to swap power between themselves. The Titans' ability to play them against each other while remaining ostensibly aloof and disinterested is the hallmark of a durable, resourceful and flexible elite—although not necessarily of an elite much concerned with economic justice or equity.

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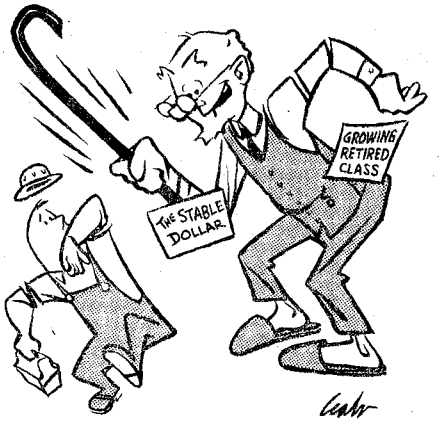
These, then, are the Americans of the future:

¶A timid Bucknell graduate (class of '48), uncomfortable today in his middle-management job whenever he has to make decisions, will find his job as a quality-control co-ordinator a bit easier tomorrow. They've just completed the ultrasonic test line, and the test results will henceforth be recorded on punch cards. The outward signs of status will remain his. But the inner strife of responsibility and authority will trouble him just that much less. He can rehearse the night's offerings on the *Jack Paar Show* as he absent-mindedly pens a reply to a memo from the plant-safety engineer.

¶A restive chap bearing a shock of hair that would have given his employer doubts as to his political orthodoxy twenty years ago, will enter his office late. But no one will rebuke him. Resident mathematicians are too rare and too costly for senseless rebukes. No one cares if his coat doesn't match his trousers (they *may* care deep down inside, but they wouldn't dream of saying anything), just so long as he remains happy and productive. Chances are his research



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boss is just as late, just as preoccupied, just as indifferent to corporate litany and ritual. Today the mathematician will derive half a formula governing odd-lot production scheduling that will save his company $5,794 over the following six months. Small wonder that top management is indulgent. Imagination is the one raw material without surrogate.

¶A man who has been up until 3 A.M. goes into a richly paneled room. In his brief case is a sheaf of papers that lists sixteen major proposals for new capital equipment. In rapid succession he hears the petitioners, pierces their vague descriptions with rapier questions. By noon he has decided to reject six out of hand, refer three others to the board of directors, and provisionally approve the rest. He retires to his own office where lunch awaits him. He pores over the production records, the monthly profit-and-loss reports, the sales figures; he scans inventory, marketing and research reports. At 6 P.M., dinner arrives at his desk. He returns to his papers. His head is infinitely capacious: it is an orderly file, a fast and accurate synthesizer, analyzer, computer, gauge. He leaves for home at 10, a full brief case in hand. He will continue to work on into the night.

¶In the warmth of the Southern sunshine, a pleasant old man plucks his pension check from a mailbox. His sense of security is stronger today than at any time in recent years. Life was not always so free of turmoil. But, for now, he knows that there are those who look after his interests. And that knowledge sustains him in a way that his older friends cannot be sustained.

¶A man who does not understand tedious economics walks in the chill night air to clear his head. Tomorrow, again, he will make the rounds: the state employment agency, the union hall, his old plant-personnel office. And the answer he hears at each place will be the same two syllables: "Nothing." He is just beginning to realize that his sort of man in industry is obsolete. For, without a skill, he might as well give up. He might as well drive the dry cleaner's truck at $15 a week less than he used to get at the auto plant. He might as well agree to let his wife go to work.

Such are the particulars of the disintegrating industrial work force, the enfeebled Clerk, the Priest of arcane knowledge, the aggrandizing Titan, and the patient Old Folk. And underlying all is the rising plateau of costs that causes daily rewriting of the established formulas of production, distribution, marketing and consumption.

Under these circumstances one can only hope that public policy will work to maintain economic balance. Else we are left as mute spectators in the contest H. G. Wells foresaw when he wrote, "Human history becomes more and more a race between education and catastrophe."

STRIKE INSURANCE . . . *by H. Howard Ostrin*

IN A FREE society the right of employees to withhold their labor is inviolate and unassailable—no less basic, indeed, than the fundamental rights of "life, liberty and the pursuit of happiness." One must recognize, however, that under our complex economy, a prolonged work stoppage, particularly in a key industry, may trespass upon the rights of the general public. Sound public policy, therefore, requires that every bona fide effort, short of compulsion, be made to accelerate the termination of all strikes.

Free collective bargaining first received the imprimatur of our government in 1926, when Congress passed the Railway Labor Act. In addition to providing machinery for the settlement of railway and airline labor disputes through mediation, fact-finding and voluntary arbitration, the Act requires employers in these industries to bargain collectively with representatives of their employees. In 1935, the Wagner Act extended this concept to all other industries engaged in interstate commerce. Twelve years later, the Taft-Hartley Act extended the requirement of good-faith bargaining upon unions in their dealings with employers.

Mindful of the public's stake in industrial controversies, the Taft-Hartley Act is introduced by a succinct observation that strikes can be prevented or minimized if management and labor recognize that neither party, in its relations with the other, has the right "to engage in acts or practices which jeopardize the public health, safety or interest."

Any device which prolongs a dispute or otherwise impinges upon the public interest should therefore be discouraged, if not rejected. By the same token, any tactics employed in the course of a labor-management impasse which contribute to, or result in, a combination to restrain or stifle free competition should be enjoined through the application of our anti-trust laws.

It is within this frame of reference that the subject of strike insurance and its effect on the collective-bargaining process is here considered.

Subtly referred to as "suspension insurance" by the members of the American Newspaper Publishers' Association (ANPA), as a "mutual assistance pact" by our major airline companies, and as a "service interruption agreement" in the railroad industry (where its sponsors are presently seeking adherents), these industry-wide strike-insurance arrangements manifestly are intended to provide self-help in the event of work stoppages.

As an economic counter-weapon, doubtless beyond contemplation of Congress when it gave statutory approval to the collective-bargaining process, this stratagem may conceivably impede negotiated settle-

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ments, prolong strikes and stifle competition—all to the detriment of the general public. In its relatively short lifetime, strike insurance may already have contributed to the demise of one company which perhaps relied too much upon its potential as a strike-breaking maneuver.

On June 30, 1955, the American Newspaper Guild, one of the first unions to be confronted with strike insurance, called upon the Attorney General of the State of New York to investigate the subject of publishers' strike insurance "as a possible conspiracy in violation of the insurance and other laws of the State of New York." On August 2, 1956, the Attorney General (the post was then occupied by Jacob K. Javits, now U.S. Senator) responded:

> Upon investigation, this office learned that insurance against business losses due to strikes did exist and was being made available to members of the American Newspaper Publishers' Association.
>
> The material which this department has acquired in the course of its investigation, including copies of the insurance policies then in use, was referred to the State Department of Insurance. On July 26, 1956, I was advised by that department that the filings of each insurance company involved were rejected on the ground that approval of such coverage would be *contrary to public policy*. (Italics supplied.)

Referring to this rejection of a strike-insurance rate schedule by the New York State Insurance Department, *Editor and Publisher*, an organ of the ANPA, in its August 18, 1956, issue, noted that the ruling applied only to carriers licensed to do business in New York State. Said *Editor and Publisher*: "The strike insurance group merely transferred its insurance to other companies. . . ."

Available evidence supports the conclusion that strike insurance can be procured only from foreign firms.

"SUSPENSION insurance," though not generally publicized, has been available to members of the ANPA for many years. The details of the plan currently in effect are particularized in a seven-page memorandum issued by the Newspaper Publishing Premium Fund on May 29, 1958. The sponsoring committee anticipates "that the aggregate coverage issued by the underwriters will not be less than $17,500,000." Premium checks are payable in U.S. dollars to the order of the "Montreal Trust Company."

In the event of "total suspension of publication," the full daily indemnity will be paid beginning with the eighth publishing day after the strike starts and will continue thereafter for a period of twenty-five, fifty or 100 days, depending upon the premium paid; or upon termination of the strike, whichever occurs first. Benefits are also payable in the event of a partial suspension of publication. These consist of reimbursement for actual losses such as fixed charges, expenses and loss of profits; provided that the total benefits paid do not exceed the amount that would have been paid in the event of total suspension.

The maximum daily benefit is fixed at $10,000 per publishing day and $500,000 in the aggregate, payable in U.S. dollars. (The underwriters are located in Canada.)

The cost of insurance is determined on the following basis: $123, $163.50 or $203 per $100 of premium indemnity, depending upon whether the insured desires twenty-five, fifty or 100 days of coverage. Sunday insurance may be purchased by the payment of an additional premium.

Indemnity payments will be made only if the insured publisher offers to arbitrate his dispute with the striking union. He need not, however, offer to arbitrate where the strike issue involves news and editorial policy, assignment of editors, reporters or writers, pension or welfare plans, union shop or other forms of union security unless such provisions are already included in the collective bargaining agreement.

WHETHER strike insurance contributed to the demise in 1956 of the century-old Brooklyn *Eagle* and the consequent loss of more than six hundred jobs is a debatable matter as to which reasonable men may differ. That it affected the course of negotiations and paradoxically led to an avoidable strike is much less subject to speculation.

After nearly five months of fruitless negotiations with the *Eagle*, the Newspaper Guild of New York offered to have an arbitrator determine whether its members were entitled to receive the wage increase they were then demanding. Had the publisher accepted, a strike would have been averted. Instead, the *Eagle* invited the Guild to arbitrate the entire agreement. Since money was the only real dispute between them, the Guild rejected the publisher's proposal and the strike ensued.

Were it not for a subsequent arbitration proceeding involving the Guild's demand to recover severance pay and other fringe items on behalf of its members whose employment terminated with the suspension of the paper's publication, the publisher's offer to arbitrate the entire contract might well have been shrouded in mystery to this very day.

During the severance-pay arbitration, where the writer appeared as counsel for the Guild, the following admissions were elicited from the publisher:

¶The *Eagle*, as a member of the American Newspaper Publishers Association, had been carrying strike insurance for approximately twenty years at an annual premium cost of close to $10,000.

¶Receipt of the daily indemnity benefits under the insurance policy (in this case $5,000) was conditioned upon a firm offer by the publisher to submit its dispute with the Guild "*to a fair and impartial arbitration by a disinterested party. That is, any agency which can be shown to be fully disinterested, fair and impartial in the ordinary sense in which these words are commonly employed, and to abide by such arbitration.*" (The italicized words are taken verbatim from the insurance policy.)

Acceptance of the Guild's offer to arbitrate would clearly have satisfied that condition. But this was not what the publisher wanted. In the first place, acceptance would have averted a strike and there obviously could not have been any recovery under the strike-insurance policy. Secondly, and this was admitted, the Guild would have been successful in so limited an arbitration.

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So the publisher, mindful of the language of its insurance policy, made the following proposal:

Management is willing to submit the settlement of this contract in its entirety, clause by clause, *to a fair and impartial arbitration by a disinterested party. That is, by an agency which can be shown to be fully disinterested, fair and impartial in the ordinary sense in which those words are commonly employed, and to abide by such arbitration.*

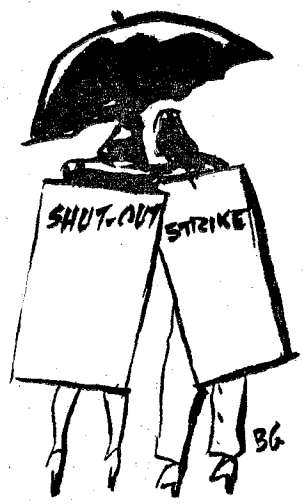
A strike occurred; the *Eagle* collected $250,000 in strike-insurance indemnities and, on March 6, 1955, went out of business. Commenting on the *Eagle* strike, *Fortune,* in its April, 1957, issue, wrote:

> One reason why the Brooklyn *Eagle,* a large community newspaper, could afford to hold out during a month-and-a-half-long Newspaper Guild strike is strike insurance carried by the paper. ("It is true that the *Eagle* has strike insurance," admits Publisher Frank B. Schroth. "I also have burglary and fire insurance.") . . . Almost every major daily in New York as well as many in other cities carries strike insurance. The risk is spread among the American Newspaper Publishers Association, Lloyds of London, and a U. S. insurance company.

THE Airline Carriers Mutual Assistance Pact of October, 1958, is simply another form of strike insurance with a slightly different twist. Sponsored by American, Capital, Eastern, Pan American, United and Trans World Airlines, the agreement provides for "mutual assistance" in the event any participating company's flight operations are shut down by reason of:

> *1.* A strike called to enforce demands in excess of or opposed to the recommendations of the Board established by the President of the United States under the Railway Labor Act; or
>
> *2.* A strike called before the employees on strike shall have exhausted the procedures of the Railway Labor Act; or
>
> *3.* A strike which is otherwise unlawful.

Should any of these events occur, the parties not affected agree to pay over to the struck operator an amount equal to their increased revenues attributable to the strike, less expenses. Such payments are to be monthly or more frequently, if the parties so agree, for the duration.



The agreement obligates the struck company to make every reasonable effort to encourage the public to patronize the non-affected operators during the strike period. This simply means that if a strike should be called against Capital Airlines, Capital will undertake to urge its customers to patronize its airline competitors to the exclusion of rail or bus facilities.

The Federal Aviation Act of 1958 mandates the Civil Aeronautics Board to reject an agreement between or among airline carriers which offends the Railway Labor Act or the public interest. Accordingly, and at the board's invitation, the carriers and affected labor organizations participated in oral argument on the question as to whether the Mutual Assistance Pact should be approved.

In its decision made public on May 20, 1959, the board unanimously rejected that portion of the agreement which dealt with the diversion of traffic by a struck company to other subscribing carriers, saying that the "concerted effort to shuttle traffic among a restricted group of carriers is repugnant to anti-trust principles. . . ." The remainder of the agreement, however, was qualifiedly approved by a vote of four to one.

Rejecting the unions' contention that the agreement repudiates good-faith collective bargaining as required by the Railway Labor Act which has jurisdiction over labor relations in the airline industry, the majority observed:

> Nothing by the parties shows that the operation of the agreement will, in fact, induce the carriers to disregard the obligations imposed by law. . . . The record is devoid of any showing that the duration of any dispute was prolonged as a result of the [agreement].

In this connection it is noteworthy that the majority was sharply criticized by the dissenting board member, Minetti, for its failure to require an evidentiary hearing in order to explore the critical issues raised by the agreement.

The board's majority also turned down the unions' argument that the pact, if allowed to stand, would bring carriers who were not parties to a particular controversy into a strike situation.

To fully appreciate the unions' position in this regard, one must understand that the Railway Labor Act prohibits multi-employer bargaining without employee consent. A collective labor agreement in the airline and railroad industries can be made only with a single company. Assume, therefore, that Airline Pilots Association strikes Capital Airlines to enforce its contract demands. Under the Airlines Mutual Assistance Pact, the non-struck subscribing carriers are required to marshal their economic strength on behalf of Capital against the striking union. In these circumstances, the Pilots Association will necessarily be contending against a formidable group of carriers instead of the one with whom it has a dispute.

A striking union which enlists the support of unions having collective bargaining agreements with neutral employers is chargeable with unlawful secondary boycott activity. Apparently, so far as the CAB is concerned, a group of carriers having no immediate dispute with a union engaged in a strike against another company, may nevertheless lend economic force to the striking company. For the time being, at least, the secondary boycott in reverse has gained the imprimatur of one governmental agency.

The unions also unsuccessfully attacked that portion of the agreement which provides for mutual assistance in the event a union calls

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a strike without accepting the recommendations of the Federal Emergency Board. Emphasizing that Congress intended such recommendations to be free from compulsion, the unions argued that the mere existence of the pact not only violated the concept of free collective bargaining, but also could so reduce or neutralize its economic potential as to compel acceptance to the alternative of striking against the combined economic strength of all parties to the agreement even though the dispute might be with one company.

Obviously impressed with this argument, Mr. Minetti wrote:

> ... The purpose of the agreement is to provide the combined economic power to enforce settlement of labor disputes on *whatever* terms an Emergency Board may recommend. The agreement thus aims at perpetuation of the tendency to defer bargaining until the issuance of an Emergency Board report, since its only effect on present bargaining practices is to make them more attractive.
>
> This increased use of Emergency Board recommendations as a carrier's first counter-offer is an unequivocal violation of the bargaining mandate of the Railway Labor Act, since the statute requires good-faith bargaining *before* the creation of an Emergency Board. No carrier can know, during the negotiating period which precedes the establishment of an Emergency Board, what recommendations an Emergency Board will make or even if the creation of an Emergency Board will be recommended. As a practical matter then, the carrier cannot freely bargain in good faith if it intends to rely on Emergency Board recommendations, since it would thereby risk offering its employees more than the Emergency Board will ultimately recommend. The absence of good-faith bargaining during this period, however, is in flat violation of the Railway Labor Act....

STRIKE insurance appears to have attracted the interest of the railroad industry as its most recent adherent. The *Wall Street Journal* of July 13, 1959, reported the fact under the following headline: "Railroads Devise Plan to Hedge Their Risks If Unions Walk Out; 'Secret' Policy Would Pay Fixed Costs."

Referred to as a "service interruption agreement," the proposed policy of insurance is scheduled to become effective when railroad companies accounting for 65 per cent of the industry's gross operating revenues agree to subscribe.

According to the *Wall Street Journal,* envelopes containing the proposed policies have been addressed to some 300 members of the Association of American Railroads—marked "Confidential." A memorandum preceding the mailing advises officials how to brush off the press in the event it learns of the plan.

THE insurance provides for the pooling of funds with benefits as high as $600,000 per day payable to a struck carrier. Rejected by U.S. insurance companies, the policies are being underwritten by a newly formed Bahaman company known as the Imperial Insurance Co., Ltd. of Nassau, which in turn is associated with Lloyds of London.

This is how the plan is expected to function:

1. Each subscribing carrier, at the very outset, will be required to deposit with a Nassau bank the equivalent of its own fixed charges for one day. These are defined to include property taxes, pension and interest charges, sinking fund payments, equipment trust obligations and all costs of "supervisory forces necessary to preserve the railroad's properties in a stand-by position."

2. Premium costs will be determined by the frequency and duration of strikes in each year.

3. Annual administrative costs, presently estimated at $150,000, will be assumed by the participating companies.

4. In the event of a strike, the insured carrier will be fully protected against all of its fixed charges for the duration of the stoppage.

These are the limitations:

1. The plan will not become operative unless at least 65 per cent of the industry's gross 1958 revenues sign up.

2. Benefits will not be paid if 50 per cent of the industry participating in the plan is struck.

Other conditions are as follows: The strike must not be in conflict with the Railway Labor Act, and it must not be the result of the carrier's attempt to enforce demands contrary to the recommendations of a Presidential emergency board.

Guy L. Brown, President of the Engineers Union, is quoted as having said: "I think you would see quite a few of our lawyers in court if the companies try anything like strike insurance."

If current negotiations in the railroad industry should break down and a strike result, it is not inconceivable that railroad strike insurance may well affect its scope and duration. Insulated against fixed charge losses for the duration, the struck carriers will be less exposed to the normal economic pressures which produce early settlements. This, of course, will militate against the public interest.

DEMONSTRABLY, the propriety and legality of strike insurance is open to serious question. It has officially been declared to be against public policy in New York State. The Civil Aeronautics Board, after rejecting a key provision in the Airline Carriers' Mutual Assistance Pact, qualifiedly approved the remainder of the agreement.

There is little doubt but that the railroad unions will challenge the legality of the "service interruption agreement" in their industry by invoking the Railway Labor Act and possibly the anti-trust laws.

Following a strike against the Ridder newspaper in St. Paul, Minnesota, the American Newspaper Guild requested a Congressional investigation of strike insurance, and the matter was referred to the McClellan committee. So far as the writer is able to determine, the committee never got around to this question. Certainly no public hearings were held. Evidently the committee was so preoccupied with its concern to expose union abuses that it never could find the time to inquire into the subject of employer strike insurance.

It remains for the courts, or perhaps another Congressional committee, to consider the effect of strike insurance upon the collective bargaining process and the public at large.

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New Hampshire Inquisition . . *by Norman Thomas di Giovanni*

NEW HAMPSHIRE's treatment of civil liberties and political freedom, and its hunting out of subversion — like the tough and unpredictable Yankee mind that has ruled in those granite hills for over three hundred years — defies simple accounting. Records of subversive acts in that region consisting "chiefly in Throwing about (by an Invisible hand) Stone, Bricks, and Brick-bats of all Sizes, with several other things, as Hammers, Mauls, Iron-Crows, Spits, and other Domestick Utensils," come down to us from 1682 — a full decade before any of the extraordinary events that gripped nearby Salem, Massachusetts. That was a period of political unheaval, and hate-filled, fear-ridden colonists of the royal province were awaiting the arrival of a governor appointed to oppose them.

But during the next hundred years the pendulum swung out, and in 1783 these same Yankees, now secure and with their house in order, drafted into the Bill of Rights of the New Hampshire Constitution an article still on the books as the "Right of revolution," urging that "whenever the ends of government are perverted, and public liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right ought to reform the old, or establish a new government."

In our time, with the political order threatened as sharply as it was in the seventeenth century, and hysteria set raging through the nation, the pendulum took a sharp swing back again. Near the height of the new fever, New Hampshire adopted its Subversive Activities Act of 1951, making the right of revolution and even its advocacy a crime punishable by imprisonment, fine, or both. Then, two years later, with the revolution article of the State Constitution bluntly circumvented, the state attorney general was authorized to carry out an investigation of subversive activities and to prosecute violations of the 1951 Act.

When Attorney General Louis C. Wyman's report of his investigation appeared in 1955, true to purest New England tradition it contained a large share of old-time "Invisible hand" excesses; in fact, what it amounted to more than anything else was an up-to-date version of the old stone-throwing conspiracy. As quaint as anything recorded in 1682, for instance, Wyman's report sought to determine whether there was "a Communist cell or Communist activity . . . among pupils in the schools of Franklin" after children "had come home with pieces of paper on which it was written they were Communists. . . ."

But to move on from local history and custom, events of the past weeks in New Hampshire go beyond reminding us that the seed planted by the late Senator McCarthy and his kind is still capable of yielding fruit. At this late date, when national jitters have calmed noticeably almost everywhere else, Attorney General Wyman has succeeded in jailing one man, holds still another in the shadow of the prison, and gives no indication just how far he proposes to go in his absurd one-man inquisition.

Absurd because his report, which purports to be about subversive activities and is the bedrock on which his recent successes rest, reveals that the Attorney General and every other state official he has weaseled into his service are seriously delinquent in their knowledge of (1) what subversion is, (2) what subversive persons are, and (3) how a subversive would behave.

Absurd because for all the casuistry of its 300 pages, somehow the report still manages to demonstrate the opposite of what it claims to prove. Absurd, moreover, because Wyman has yet to uncover one act of subversion or even to come up with one individual he could get to subscribe to those magic words, "overthrow of the government by force and violence."

But the crowning absurdity of all — what caused the investigation to grow to its present dangerous excesses — is that Wyman was able to convince the legislature, the courts and the people of the state that the thin, ridiculous material he had assembled (at a cost of $31,500) was the real thing and that it struck at the root of a terrible conspiracy to break New Hampshire's constitutional form of government. In 1955, by an overwhelming vote, the general court gave the Attorney General an additional $42,500 to extend his investigation two more years. Then in 1957, abandoning its own powers, the legislature handed him a blank check to proceed on his own as a legislative committee — at any time and at his own discretion.

WHAT material Wyman gathered in that report bears examination. There was the example of the school children quoted earlier. In that same vein of puerility, investigating Parent-Teacher Associations, Wyman found (in newspaper columns) that an Elizabeth McKenna had been appointed to the program committee of the Brentwood PTA.

> It goes without saying [writes Wyman] that the program committee is a particularly influential post. Elizabeth McKenna's husband is Rev. Warren H. McKenna, to whom there is devoted a separate section of this report. Rev. McKenna himself testified . . . that the only meetings he had attended in New Hampshire had been PTA meetings.

And there on that piece of nonsense, in a highly publicized report, Elizabeth McKenna is left hanging — by a thread of a suggestion of guilt.

More serious is the long and detailed section on Dartmouth professor Vilhalmur Stefansson. Among other things, Wyman dug up Louis Budenz' testimony before a Senate subcommittee in 1951 naming Stefansson a member of the Communist Party. Questioned by Wyman, Stefansson said he had never been a member of that party; confronted with the Budenz testimony, Stefansson said it was "essentially incorrect." Then Wyman did two things

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by way of wrapping up his case: he wrote Budenz, asking him to back up his statement, and he gave Stefansson's testimony to the Justice Department, requesting "any evidence which could be made available . . . indicating perjury on the part of Mr. Srefansson. . . ." Of the results of the former, Wyman writes:

> Mr. Budenz, having monumental demands made upon his time by his academic and lecture commitments, failed to respond to prior inquiries by this office on other matters. At the time this section of the report was being prepared an additional request was made of Mr. Budenz to testify regarding this matter, but based upon his prior commitments he informed this office he was compelled to refuse the request.

And of the latter, Wyman wrote only this: "At the time of printing this report no reply had been received." But there in his pages — and reproduced serially with added photographs in New Hampshire's one Sunday newspaper for everyone "to clip and preserve . . . in scrapbook form" — the allegation stands. This is one of the Attorney General's most diligently employed flagrancies, the Scotch verdict of "not proven."

Then there is another of Wyman's favorite tricks: heavily italicizing a quoted text to bring out the emphasis he wishes to give it. The following is quoted exactly as Wyman used it. It is from the nearly fifty pages of his report devoted to Willard Uphaus' World Fellowship camp.

> George Abbe was listed as directing another "workshop" on "creative writing," August 10-19, 1953. According to a release by World Fellowship, Mr. Abbe described the purpose of the seminar, noting that, "*Liberal* movements fail at many points because they rely upon clichés . . . like 'freedom,' 'equality,' 'the masses' . . . 'fascist,' etc. The *progressive* needs to study semantics to broaden and enrich his means of putting across *truth*, of depicting *the actual world of injustice* so colorfully, freshly, and convincingly, that whole marginal areas of people now offended by propaganda slogans like *'the liberation of the working class,'* and *'public ownership,'* will be won to *forward-moving* programs." . . .
>
> One of the texts was to be Paul M. Sweezy's "Monthly Review."
>
> On the face of World Fellowship's own description of this so-called "workshop" it appears to have been nothing but a training ground for more effective propaganda techniques so that "the liberation of the working class" and "public ownership" will be fed us in a new, less easily recognizable form. "*Liberation* of the working class" is strict Communist line derived from the Marxist doctrine of the class struggle. . . .

Wyman does credit himself for the added emphasis, but the distorted interpretation he passes off as unadulterated "facts."

Even the famed Sweezy case that reached the U.S. Supreme Court looks foolish when quoted from Attorney General Wyman's report. As a guest lecturer at the state university, Sweezy stated that "socialism is coming everywhere whether we like it or not."

> Communism [he said further] is one form of socialism, the form that socialism takes in countries that are ruled by despotic tyrannies and are torn by social crises or war. It cannot be wiped out by force. . . . It follows that all hope of developing a more free and humane form of socialism depends on maintaining peace, recognizing the necessity of coexistence. . . .

In his comments on this excerpt, the Attorney General asks whether Sweezy's statement is true or false and "(b) Whether, if untrue, it is in fact objective teaching to an adolescent class at a State University or subtle advocacy. (c) Whether, if untrue, it approaches or constitutes the formula for subversion. . . ." Well, it's a full six years since Sweezy uttered his "subversive" remarks, and no students have yet stormed the state capitol with red flags.

Wyman also investigated the activities of individuals — twenty-three of them, of which four families account for more than half the number. About one of these families the Attorney General disclosed that four of its five members had signed 1952 Progressive Party nomination papers; he further revealed that all five "as late as 1953," according to "reliable" and "unimpeachable" sources, held insurance policies in the International Workers Order.

Enough illustrations. If dissolution of the constitutional form of government is the subversive's plot, as Wyman holds, then certainly as the state's chief law-enforcement official he should know that anyone really intent upon overthrowing a government is not likely to be out signing open letters or petitions, or circulating nomination papers for the Progressive or any other party, or operating a nationally advertised public camp, or doing any of the other legitimate acts he has cited in his report as questionable behavior.

BUT NO one has yet discovered the existence of these revolutionists. Even former Governor Hugh Gregg, at the height of the hysteria, admitted: "We have not produced evidence that saboteurs are wiring our bridges for demolition; nor plotting destruction of power dams and power plants; nor threatening our municipal drinking supplies. . . ." Indeed, an esteemed and much-feted Nashua housewife, who spied for the FBI as a member of the Communist Party and who therefore should be the supreme authority on any revolutionary conspiracy in the state, reports no more than this:

> The [Communist Party] meetings would invariably be held at private homes. The gatherings . . . range between five and fifteen in attendance. I never knew of any mass meetings. . . .
>
> After the collection of dues, the guest speaker is introduced. He usually starts talking about the latest issues of the day, labor disputes, economic recessions, and so forth. He would then deliver any directives from the higher-ups — things to be accomplished, money to be raised and similar projects.
>
> Ordinarily, the guest member would then distribute pamphlets or fliers to be circulated in the area. Sometimes these were given out at factory gates. Other times they are circulated house-to-house. The speaker would then touch upon specific security measures and conduct to be followed by the members. And he would probably close with announcements of party business being conducted elsewhere.
>
> Following the talk a special collection is usually taken. The purpose might be for a comrade who has been arrested or for a member who is sick or fighting deportation.

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> Then the meeting is closed, maybe an hour or so after it began. . . .

If that's the kind of gathering that has New Hampshire residents in such a state of nerves they're willing to shell out a good $74,000 to be cured, they'd be better off investing in some form of mass therapy. If otherwise, it begins to be obvious that Wyman can't really be interested in subversion after all. In a modern, monolithic state such as ours, and in the face of current prosperity, revolution stands about the chances of a Model-T Ford at the Indianapolis races. No one, least of all New Hampshire's half-dozen bona fide Communists, is going to pull off a coup anywhere in America. But dying orders—and New Hampshire old-guard Republicans today are certainly at the end of something — will clutch desperately at some issue for survival. And best of all for the makers of New Hampshire's current phenomenon, the issue—then if not now—had national impetus.

When a few years ago Governor Gregg, who appointed Wyman to office, said that the nation's Republicans had done "a vastly superior job than the Truman regime" in rooting out subversion, and that the state Republican Party could seek votes on this one program alone, it was an indication that the revolution New Hampshire Republicans fear most is not Red revolution, but a "revolution" by the Democratic Party — the sort of thing that happened to neighboring Republican Maine when it elected and re-elected a Democratic governor, and that happened to next-door Republican Vermont when it sent a Quaker pacifist Democrat to Congress.

WYMAN'S career as inquisitor is not only founded on excesses of absurdity, but in its execution he is guilty of having conducted an investigation entirely on the one-man, private level. Initial authority was granted him in 1953. He was to make an investigation with respect to violation of the 1951 Subversive Activities Act, and to determine whether any subversives were located in the state. He was "authorized to act upon his own motion and upon such information as in his judgment may be reasonable or reliable." At the same time, the section of the 1951 Act requiring all information to be kept confidential was changed in favor of allowing the Attorney General to make public any of his findings and even testimony. If he found evidence of a violation, he was to proceed with criminal prosecutions. In addition, rules of procedure granted that:

> Being a fact-finding investigation in aid of the legislative process, judicial rules of evidence will not apply. . . . Relevancy, pertinency of questions, and admissibility of evidence, shall be determined by the Attorney General.

Leabo

Attorney General Wyman

First of all, this extraordinary latitude made Wyman at once judge, jury and prosecutor. Yet at the same time he had to keep up no pretense of being impartial, for as a public crusader against "the Red menace" he could not very well have minimized his slim findings. To the contrary, he had constantly to build them up. Also, since he sought to prove his own points, he could operate — outside of established American ways — under an assumption of guilt. And since he alone, under the procedural rules, was judge of what were "facts," he could admit opinion and hearsay as proper testimony.

Second, with the choice of throwing out privacy in favor of issuing publicity, the Attorney General embarked down the road of exposure for the sake of exposure, in spite of the fact that such an object serves no requisite legislative purpose and has been cited as impermissible by a number of high court justices.

Third, no one was ever found to have violated the law, so there has never been a criminal prosecution. Many declined to answer Wyman's questions, invoking valid Constitutional grounds. Yet among all these witnesses, civil court action was initiated and pursued against just three: Paul Sweezy and Willard Uphaus, both of whom invoked the First Amendment, and Hugo De Gregory, who invoked the Fifth.

Fourth, except in one instance — a standard of proof of membership in subversive organizations — every piece of legislation prepared on Wyman's initiative and urged by him on the legslature has only extended and enlarged his investigative powers and has done nothing to strengthen any anti-subversive laws. The first important new legislation Wyman sought was an act permitting him, at his own discretion, to grant a recalcitrant witness immunity. But the bill was temporarily defeated. Several weeks later, Wyman prepared another version — this time the Attorney General was to make an application for immunity to a superior court justice — and apparently this version satisfied Wyman's critics, for it was overwhelmingly passed. Under this accepted version, the Attorney General could still strip a witness of his Constitutional rights merely upon a statement to the judge that an immunity grant was in the public interest, without the witness having an opportunity to challenge the proceedings.

SO SURE had Wyman been of the acceptance of the early version of his immunity bill that, well in advance of the legislature's action on it, he subpoenaed one witness, Hugo De Gregory, to be available to answer a mandate of the legislature when that mandate was not yet law. Again, before the revised bill was passed, Wyman issued De Gregory a subpoena to appear after the new bill's passage. Not only was Wyman still premature with regard to the legislature's mandate, but this time he was also leaping ahead of the courts, since no court yet had authority to grant the immunity. Even when the law was finally passed and Wyman made his private appearance

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before the judge to apply for the grant of immunity, he was not content just to file his petition. "For the convenience of the Court," he attached to the petition his own proposed immunity grant.

Late last summer, Wyman must have realized that the immunity law he had invoked against De Gregory had expired two years before, in June, 1957. Suddenly, during the final days of the 1959 legislature, the House Judiciary Committee reported favorably on a bill authorizing school-district treasurers to use facsimile signatures on checks. Passage was recommended with two amendments. The first substituted a new title: now it was to be "An act relative to . . . immunity of witnesses." The second substituted an entirely new text, which turned out to be an extension of the 1955 immunity law. For eight months previous to this, no such bill had been before the legislature and no public notice given of its existence. It was adopted by a perfunctory voice vote, and the next day the Manchester *Union-Leader* credited Attorney General Wyman with recommendation of the bill's new version.

THUS DOES Wyman exhibit his omnipresence. The legislature passes an immunity law, but only after the Attorney General asks for it, drafts it and rescues it from defeat. The court hands down a grant of immunity, but it is Wyman who commands it and even supplies a written text for the judge's convenience. And since the separation of powers presumed to exist among the three branches of government appears to have been abandoned in New Hampshire to suit the Attorney General, when a witness declines to answer questions Wyman can summon up his other, legislative, self, or interpose the courts at will, so that a stubborn witness is never in contempt of the Attorney General, but of those other bodies. Consequently, rather than his being their instrument, as one should expect the law to provide, the court and the legislature become the instruments of the Attorney General.

Red-baiters fall into two classes. An out-and-out, rabid type who would have all "Reds"—the liberals, the plain dissenters and the real radicals — either locked up or executed as traitors; and a second, slightly higher type, the solid citizen who recognizes the "menace" and wants the "Reds" punished effectively, yet lawfully and within the scope of the federal Constitution. Uniquely, Attorney General Wyman has at once managed to satisfy both types.

On the one hand, he has had the backing of New Hampshire's only state-wide newspaper, the Manchester *Union-Leader,* whose publisher, William Loeb, is a Red-baiter of the first category. Satisfying the second class, Wyman has his businessman's manner — an appearance of quiet diligence and suave determination. He has been neither offensively crude nor offensively loud in the way of the late Senator McCarthy, and it is said that the Attorney General even opposed McCarthy's methods as undignified. In fact, Wyman presents such a façade of equanimity that even those who mildly oppose him praise his "dedication."

What is really behind the Attorney General's character?

Wyman has strong ambitions and yet can't be written off as a simple political opportunist. True, with New Hampshire as his laboratory, he has gone ahead and projected himself nationally. As one of the heads of an association of attorneys general, he argued before the U.S. Supreme Court in the important case of *Pennsylvania v. Nelson,* favoring the states' right to hold their own investigations into alleged subversion rather than leave the field solely to federal jurisdiction. While the decision went against Wyman's side, none the less he won some admirers in the Southern states. But the six or seven years Wyman has served as New Hampshire's Attorney General appear to be an overlong apprenticeship if he were merely out for the governorship or a seat in the U.S. Senate, as some have claimed. And Wyman has hinted he might throw up politics altogether for private law practice. All of which could mean that the outcome — retirement or advancement, abandonment or reward — is not to be Wyman's choice alone.

BUT aside from whatever political motives may have inaugurated the inquisition — either for Wyman personally or for Styles Bridges' gang of New Hampshire Republicans holding the power — Wyman is in it for additional deep reasons. He believes himself a representative and upholder of a way of life. Out of his record as criminal prosecutor, a consistency in his outlook, a point of view, emerges. Briefly it is this: the strengthening of law enforcement at the expense of individual rights; semi-police-state control; a firm crackdown rather than a compassionate hand. He has expressed this attitude in his adherence to a plan for a kind of concentration camp for delinquent youths; he expressed it in the frame of mind he brings to his law-enforcement manual, wherein he outlined "When a Search Warrant is Not Necessary"; he expressed it when he recently spoke out against a U.S. Supreme Court finding that sought to protect suspected persons against summary arrest and detention. He has consistently viewed the guarantees of the Bill of Rights — that stone wall against police invasion — with suspicion wherever they have gone contrary to his will. Last summer, when U.S. Supreme Court rulings in the Uphaus and De Gregory cases bolstered Wyman's inquisition, he crowed that "These decisions break the back of the Fifth Amendment as far as we are concerned."

Which brings us to these aspects of Wyman's make-up: his egotism, bordering on megalomania, that doesn't allow him to accept either criticism or defeat or to admit error; his self-righteousness, which allows him to take bold shortcuts with the law or to go against or around it entirely when he finds it in his way. What sort of Attorney General, sworn to uphold the Constitution, could *want* to break the back of any of the Bill of Rights Amendments? What sort of man could hold such basic contempt for the rights of individuals?

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BOOKS and the ARTS

Lucky Jim and the Martians

NEW MAPS OF HELL. A Survey of Science Fiction. By Kingsley Amis. Harcourt Brace and Co. 161 pp. $3.95.

Robert Hatch

DURING the spring of 1959, when he was a visiting lecturer at Princeton, Kingsley Amis devoted one of the Christian Gauss Seminars in Criticism to a series of lectures on science fiction. The topic recalls so forcefully those projects dreamed up by his scapegrace hero, Lucky Jim, as crusades against entrenched dignity that it is only prudent to suspect Mr. Amis of being whimsical at the expense of seminars, visiting intellects, display scholarship and the solemnity of collegiate audiences.

But Mr. Amis is a wit as well as a practical joker, and the flavor of the joke here is that, having taken a theme for reasons his audience was almost certain to suspect as frivolous, he made something impressively substantial of it. His lectures, now published, are a thoughtfully enticing introduction to a literature officially considered sub-literary and unavailable to cultivated minds.

Mr. Amis' platform methods are exemplary. He defines: "science fiction presents with verisimilitude the human effects of spectacular changes in our environment, changes either deliberately willed or involuntarily suffered"; he discriminates: science fiction is not to be confused on the one hand with fantasy (elves and centaurs) or on the other with space-opera (galactic pirates and death-ray pistols). And he seeks origins, looking back first to Lucian of Samosata, but more fruitfully to Swift, the utopias of More and Bacon, Mary Shelley's *Frankenstein* and obviously to Verne and Wells. After weighing what each of these, and a number of lesser contributors, gave to the modern era of science fiction, Mr. Amis offers a precise date for the opening of that era — 1926, the year when Hugo Gernsback founded the magazine, *Amazing Stories*.

BUT all this, though carried out in fine scholarly style, could be mere playfulness. The lecturer, however, takes on an appealing tone of heightened earnestness when he comes up to the contemporary work. Mr. Amis moves rapidly, thoroughly and with sparkling dexterity through the magazines, the anthologies and the novels that contain his subject (he acknowledges an interest in the field dating back to childhood). He employs various distinctions (e. g., economic, social and political utopias) for segmenting the literature, and this was probably a courtesy to the listeners seated before him with their notebooks poised. But he is rather impatient with the categories he sets up, and I am not going to reconstruct them here. At the end of his excursion he sums up: "One is grateful for the presence of science fiction as a medium in which our society can criticize itself, and sharply," and "one is grateful that we have a form of writing which is interested in the future, which is ready . . . to treat as variables what are usually taken to be constants, which is set on tackling those large, general, speculative questions that ordinary fiction so often avoids." The pressure of his thesis is to engender in others this regard for a form of writing that is commonly viewed as disreputable merchandise even by its steady purchasers.

Mr. Amis does not deny that science fiction is popular entertainment, but he says firmly that it is not mass entertainment. He supports this partly by producing figures to show that the total public for science fiction in the United States is about half a million, or three-tenths of 1 per cent of the population, and partly by citing themes and quoting passages of such political or social sophistication and heterodoxy as to make the notion of a mass following improbable. I have read some of the works cited, and I do not think they are quite as forbidding to the simple or flaccid mind as Mr. Amis makes out. The "think" passages can usually be skipped with no damage to the narrative, the implications can be allowed to lie quietly beneath the heady action, and as for the heterodox urgings, Mr. Amis himself observes in another place that the challenge to authority or custom is almost always phrased in terms of a return to values and practices of a saner past — heaven in most science fiction bears a marked resemblance to Boone country. Nevertheless, Mr. Amis is right that the ideas, the warnings, are there, and can set an active mind into roads of speculation that other forms of contemporary fiction rarely offer.

IT IS as a means, then, of "dramatizing social inquiry," of "providing a fictional mode in which cultural tendencies can be isolated and judged," that Mr. Amis admires the form. It tests the human organism by placing it in extreme and unprecedented situations (science fiction is plausible within its own presuppositions; no matter how bizarre the environment, the characters work with believable tools and normal faculties — super weapons and super men belong to fantasy fiction). It derives excitement by materializing the fears that are now widespread and often unacknowledged. Prominent among these are the dread of finding that one is being used and the fear of uncontrolled technological advance. World after world of the most spectacular novelty and malignant terror has been engendered by projecting these almost universal worries to logical extremes.

Odd-looking monsters are losing their position as villains in science fiction, though they often show up as object lessons in the live-and-let-live philosophy that has become almost the religion of these writers. Their place as the motivating menace has been taken in large part by the omnipotent administrators of the *status quo*. Hell is implied in a society where "the economic system has swallowed the political"; the devil as manager aims to reduce humanity to its function as consumer and he operates by offering a "pleasure so overmastering

Science Fiction
A Bibliography for Beginners

Magazines

Amazing Stories
Astounding Science Fiction
Galaxy Science Fiction

Novels

The Black Cloud by Fred Hoyle
A Canticle for Leibowitz by Walter Miller, Jr.
The Case Against Tomorrow (anthology) by Frederik Pohl
Childhood's End by Arthur C. Clarke
No Blade of Grass by John Christopher
The Demolished Man by Alfred Bester
Fahrenheit 451 by Ray Bradbury
Player Piano by Kurt Vonnegut, Jr.
The Puppet Masters by Robert A. Heinlein
The Space Merchants by Frederik Pohl and C. M. Kornbluth

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that it can break down the sense of reality." This is not, as you might jump to the conclusion, the pleasure of sex; it is more often than not some variety of escape from activity: four-walled television, a melody mathematically designed to be irresistible, a chewing gum loaded with a tranquilizer, or fine wires connected directly to the pleasure centers of the brain (this experiment, if you are skeptical, has recently been performed with alarming success on rats). Mr. Amis makes the point that, whereas the so-called business novels deplore advertising and the attendant commercial excesses as degrading the people who engage in them, science fiction denounces them as potentially destructive of humanity at large.

All of this has little to do with space and the atom, two subjects generally thought to dominate science fiction. They are not, Mr. Amis shows, as important as they once were, and they are called upon now for different purposes. Science fiction that goes voyaging among the stars now takes the navigation itself pretty much for granted (it is in space-opera that galactic technology is still a subject for amazement) and the interest centers on the intelligent beings who wait at journey's end. These usually compare very favorably with man—they typically lack one or more of our most corrosive drives — and the struggles kindled by contact are predominantly ethical. Science fiction writers are anti-colonial and anti-missionary; they strongly advise against messing around with the customs and values found on other planets.

When the atom figures, it is largely in the context of a world that has narrowly escaped extinction in a nuclear war. Such stories exercise a good deal of ingenuity in describing how man, often a severely mutated man, takes up again at the tribal, flint and stone level. The atom clears away most of the existing furniture and lets the writer isolate just what things man does find indispensable.

IN THESE lectures, Amis acts more as an advocate than as a critic. He tends to overlook or to forgive the shortcomings of his writers. Thus, to the predictable objection that the characters in these works are two-dimensional, he answers that in most science fiction the real protagonist is an idea — less politely, a gimmick — and that to flesh out the characters would be to introduce a confusion of emphasis. He acknowledges that the imaginative craftsmen of these novels are more deft at setting up desperate predicaments than they are at solving them — they almost always do solve them (this is popular fiction) but often in arbitrary or fortuitous ways. He admits, but will endure, the bad lyricism, the heavy moralizing, the flat humor, the clichés and the borrowings. These are outweighed, he would hold, by the imaginative curiosity, the concern for man's future, the satiric bite and the insistence on moral independence of this literature in an otherwise dim, discouraged and self-preoccupied time. He makes a case, and he should become the hero of those of us who have felt constrained until now to buy and read our science fiction in places where we were not known.

My only serious reservation about Mr. Amis' elegant academic show comes from something said to me recently, and coincidentally, by another lecturer visiting at Princeton. Today's young scholars troubled him, he said, because they seemed to be hunting for portable areas of scholarship. The ideal subject for concentration has become one in which the literature is compact, the authorities few, and a demonstration of mastery comparatively easy. The search for neat, autonomous packages of knowledge, he feared, would produce a generation of complacently shallow experts. Quite without meaning to, Mr. Amis demonstrated to his Princeton audience just how such a package should be wrapped.

The de Gaulle Era

FRANCE, TROUBLED ALLY. By Edgar S. Furniss, Jr. Harper & Bros. (Council on Foreign Relations). 512 pp. $5.75.

THE FIFTH REPUBLIC: France's New Political System. By Nicholas Wahl. Random House. 95c paper.

FRANCE: THE NEW REPUBLIC. By Raymond Aron. Oceana (Fund for the Republic). 114 pp. $2.95 cloth; $1.25 paper.

William G. Andrews

A FRENCH army major in 1932 described the decline of traditional authority in his day. All respect, he said, "that was formerly accorded on a basis of function or birth now is paid only to those who know how to establish their personal authority."*

It is not the least of the ironies enshrouding the mystical figure of Charles de Gaulle that he dedicated those lines to his erstwhile commander, Marshal Pétain, against whose functional authority he would successfully assert his own commanding personality eight years later. And today, after twenty more years, he is engaged in another supreme test of his personal authority. Having surmounted a crucial showdown with the bombastic but chicken-hearted *pieds noirs* of Algiers and their feckless friends in uniform, he knows, nevertheless, that his battle to re-establish French order and civic discipline is far from won.

In a sense, this effort to rally the united obedience of the French gains momentum from his simultaneous drive to restore the "grandeur" of *la Patrie*. From Stalin and Hitler to Nasser and Sukarno, nationalism has served as a prime instrument for submerging internal discord. But such a route is not without its pitfalls. The cumbersome, antiquated Saharan A-bomb that is sifting psychological strontium-90 throughout the Afro-Asian bloc may, in the end, provide less "bang for the *Nouveau Franc*" than a united NATO. Or unfulfilled expectations of resurrected grandeur may sink the French even deeper into the old morass of *incivisme*, cynicism and national lassitude. Or again, if the cost of refurbishing de Gaulle's famous "madonnas of the frescoes"* is levied inequitably, he may sow seeds of dissension that will bear bitter fruit when nationalist fervor subsides.

These pitfalls loom large in the view of Princeton's Edgar S. Furniss, Jr. In perhaps the most comprehensive, extensive and significant study of postwar French politics and diplomacy yet produced by an American, Professor Furniss describes with sympathy but cruel insight the dilemma that has confronted the Quai d'Orsay since 1945.

In the earliest postwar years France sought to bridge the widening gap between the U.S. and the USSR. But as the cold war developed, she found herself too weak either to bind East to West or to stand alone between them. She then sought to hitch her star to a unified, French-dominated Europe only to be confronted by the fearsome prospect of a Europe dominated by the phoenixlike Germans. She retreated into "indecision and procrastination" until the whirlwind disengagement inter-

**Le Fil de l'Epée*, p. 67 (1944 edition).

**Call to Honour*, p. 3.

WILLIAM G. ANDREWS, author of Pierre Mendès-France: A Study of Political Ideas in Action, *teaches Government at Dartmouth College.*

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lude of Mendès-France, and thereafter the Fourth Republic lapsed into its final, mortal phase of *"immobilisme."*

Profesor Furniss believes that "French foreign policy cannot be understood except in the light of the political, economic, and social setting in which it is shaped." Consequently, in addition to a well-written and perceptive account of the evolution of postwar French diplomacy, he supplies an informative analysis of the societal foundation on which it rested during the last four years of the Fourth Republic. Unfortunately, little of his data is drawn from the years after 1955.

It is also unfortunate that he seems to suggest that *"immobilisme"* did not appear until after the Mendès-France government. In fact, it may be traced back through the Vichy regime into the Third Republic. Henri Queuille, René Mayer and Joseph Laniel, who best typify the *immobiliste* premiers, all held office before Mendès-France. It may be argued that the Algerian war which erupted in November, 1954, brought on the final paralysis. But it did not produce *immobilisme* and an Algerian settlement will not, by itself, end it.

Turning to the Fifth Republic in the last third of the book, Professor Furniss doubts that the Gaullist regime has altered significantly the foundations on which French foreign policy inevitably must rest. De Gaulle's objectives and strategy are essentially the same as those of "the ephemeral statesmen of the Fourth Republic." "The major difference," as Furniss sees it, is that de Gaulle believes he can unite behind his policies a country that was never united in support of his predecessors'. The author feels that de Gaulle will fail and assembles persuasive data and arguments to show that he is creating the danger of even greater disunity by heaping the main burden of his "austerity" program on those elements of French society which are least able to support it.

NICHOLAS WAHL of Harvard shares the view that de Gaulle must avoid exacerbating social discord. Unlike Professor Furniss, he makes no evaluation of the regime's performance so far in this respect, but he views the Gaullist movement as reformist and obviously is much more favorably inclined toward the new regime than is Furniss.

Whereas Professor Furniss emphasizes the continuity between the Fourth and the Fifth Republics, especially in respect to foreign policy and its socio-economic base, Professor Wahl stresses the differences. "From a country resigned to second-rank status," he says, France "has become a nation that demands equal voice among the great powers." He describes the "considerably altered . . . expression of traditional French political opinion," calls the new constitutional structure "a radical departure from all past French experience" and says that the policy-making process has been "radically altered."

Professor Wahl, having blocked out a much narrower field for examination, has treated his subject accurately, succinctly and lucidly. His interpretations are usually judicious, if sometimes tinged with an optimism that may not stand up in the light of the long-run implications to French democracy of concentrating so much power in the hands of a "providential man."

PROFESSOR RAYMOND ARON of the University of Paris is very brillliant and very French, a highly explosive mixture any time, but especially when it is combined with a most singular amalgam of liberal and conservative tendencies. In October, 1958, Aron discussed the new French constitution for some Fund for the Republic consultants who believed his views "would contribute to their own examination of the American Constitution." Robert M. Hutchins rather smugly observes that "their belief was justified" and the discussions have now been published.

I did not find Professor Aron's comments particularly useful in understanding American constitutional problems, but his provocative insights into politics, both French and general, and his infuriating factual errors, *non sequiturs* and inconsistencies rather surprisingly blend into an effervescent and stimulating broth. For instance, he transforms American political parties into "strong" parties, introduces "separation of powers" into the British system for the first time since Montesquieu, and transports North Africa out of the "Moslem world."

Also, he disposes of the Communist problem in France *à la Soustelle* by the simple expedient of electoral-law legerdemain and considers the Suez controversy "the only big political battle in Britain" since the war, completely disregarding the fact that nationalization of industry was the central issue in at least four general elections.

On the other hand, his arguments that the "logic of industrialization is that you have to have consensus in order to make this very interdependent economic system work" and his descriptions of the inclination of the French for "benevolent oligarchy," of the place of "crisis government" in modern society, and of the dilemmas facing de Gaulle are excellent.

Perhaps because of its structure as a largely spontaneous discussion, the book is a bit discursive and one does not read Professor Aron at his brilliant best. Nevertheless, his somewhat random thought is well worth the attention of those interested in French affairs and he has also dropped a few tempting nuggets drawn from his major study on *Industrial Society and War*, which was published recently in France.

When all is said and done, these three books discuss the emperor's clothes, his palace, his ancestors and his problems, but none of them tackles the main point of interest directly. They all give considerable attention to de Gaulle because he simply cannot be ignored, but we still lack in English a full-length study of him.* Yet, like his leader of 1932, both he and his regime derive their authority primarily from his personal qualities. I understand that Professor Wahl has been working for several years on a political biography of de Gaulle and that it is scheduled for fall publication. It may finally provide the keystone for an understanding of the new French regime.

*As this review went to press, notice was received of Stanley Clark's *The Man Who Is France*, announced for March publication (Dodd Mead).

Threnody on the Demise of As and Now

Forgive me
while I drop
a gentle tear.

Presently,
now is dying.
So is *as*.

(Not *dying*,
but obsolescent,
like we say

in all the
leading papers
presently.)

Proximately
soon will be
extinct

like a door-
nail, like as
and now

sure are
gonna be dodos
proximately.

Parm me
pliz while
I exude

a modicum of
lachrymal
secretion.

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LETTER from ITALY

William Weaver

ONE EVENING last month, as the film director Federico Fellini was coming out of the Milanese theatre where his new picture *La dolce vita* (The Soft Life) had just had its première, an elegantly dressed man stepped up from the crowd and shouted at him: "You are dragging Italy in the mud!" With that, the stranger spat on the director, while other shouts arose, attacking Fellini or defending him. The next day he received something like 400 telegrams, the majority of which accused him of being a traitor, a Communist, an atheist, or things unprintable.*

The film (which will no doubt open in New York shortly) is a series of long episodes, giving a rather grotesque view of the corruption of the Roman idle classes, from the film world to the aristocracy, mixed with sensation-seeking journalists and defeated intellectuals, actors and café society. Many starchy *Milanesi*, after witnessing the picture, said in effect that, though such things may very well go on in Rome, they could never happen in serious-minded, hard-working Milan. The answer to this came the next day, when the Milanese police announced that they had finally broken up a huge call-girl organization, which had been furnishing relaxation to tired industrialists of the city (at upwards of 100,000 *lire* a night).

In Rome itself, audience reaction to the picture was calmer, and so far no Roman has spat on Fellini, though he has been denounced in the local press, or at least in its right wing. And the Vatican organ, *L'Osservatore romano*, devoted a long editorial to the film, unhesitatingly calling it "obscene" and "disgusting," and demanding that the authorities withdraw it from circulation at once.

As this is written, *La dolce vita* is still playing at two Roman first-run houses, standing room only, four shows a day. And observers believe that it will survive even the Vatican's pummeling, especially because the director has some ecclesiastical authority on his side. When his preceding film, *Cabiria*, was about to appear, Fellini and his producer were afraid that its touchy subject matter (prostitution) might arouse Italy's censors. So Fellini took a print to Genoa and there had a private showing for Cardinal Siri (one of the church's smartest prelates and a Papal candidate at the last consistory). The cardinal gave the film his approval. He has also seen *La dolce vita* and has apparently expressed satisfaction at the work's moral viewpoint.

La dolce vita's troubles began long before it opened. The producer originally scheduled to make it took one look at the long, rambling script (much of which was left in the cutting-room) and turned Fellini down. Several other producers flirted with the idea, then backed out. When at last a producer was found and the shooting began, it took weeks longer than planned.

Those were entertaining weeks for the Romans. Rome really is a small town (far more provincial than *La dolce vita* might lead you to believe), and everybody knows or knows *about* everybody else. Last summer, while the film was being shot, half the city turned out to watch Anita Ekberg wading in the Trevi fountain or Lex (former Tarzan) Barker slouching around outside the Excelsior Hotel. And what seemed like the other half of the population played bit parts in the picture: members of aristocratic families played aristocrats (a Ruspoli, for example, and a Rodd), abstract painters played abstract painters, Miss Iris Tree, actress and poet, played a poet and read one of her poems. *La dolce vita* was a godsend for foreign actors passing through the city, and in need of a little cash.

"I'm in *La dolce vita* this week. . . ." was a commonplace remark at the outdoor cafés of the Via Veneto last July.

"What scene?"

"The orgy."

"Oh, I'm in the night club. . . ."

So Fellini has made a kind of family album of Rome (with some of the portraits touched up and brightly colored, as they often are in albums), and the Romans are flocking to look at it. Though not all of them come away indignant, few come away without some kind of opinion. And in reply to the *Osservatore's* attack, the left-wing papers are devoting columns and columns to Fellini's defense. Long interviews have appeared in *La voce repubblicana* (of the center Republican party) and in all the illustrated weeklies, while *Paese Sera* (more or less Communist) has twice in the last three days dedicated its entire back page to quotes from leading Roman literary and intellectual figures. *Unita'* (out and out Communist) has had a front-page editorial attacking Fellini's detractors. And while an association of Rome's parish priests demanded the film's withdrawal, a public meeting of writers and film-makers (presided over by Alberto Moravia) was called to discuss the work and express solidarity with the director.

THE UPROAR of the Fellini opening has shadowed another event of last week, also concerned with Rome and the film world. This was the publication of a little volume entitled *The State as Film-maker* by the economist Ernesto Rossi, a leader of Italy's small, intellectual and pugnacious Radical Party.

Rossi has written in the past some fierce and acutely documented works on Fascist economy and government and its hangovers in the Italy of today. In the new study he discusses the incredible amount of state support given the film industry in Italy and, at the same time, the marked reluctance of official or quasi-official organizations to discuss or itemize the amounts of these pump-priming contributions, now that the pump is flowing merrily.

The Fascist regime heavily supported the budding Italian film industry through its infamous Ministry of Popular Culture, and the industry repaid the support by making films like *Scipio Africanus* to glorify the dictator; or else the old "white telephone" comedies, to stultify the movie-going masses.

Immediately after the war, in the glorious period of *Open City* and *Shoeshine*, the film-makers of Italy were on their own. But the producers—and with them, the directors and actors—were soon pestering the new republic for handouts. At a mass meeting in Rome's Piazza del popolo, Miss Anna Magnani put her hands on her chest and shouted: "Save the Italian film" to an applauding public.

The Italian film was saved, and has been ever since—handsomely. The government took steps to protect it against the invasion from Hollywood (in those days, Italian films were not popular with the Italian public), and at the same time instituted a system of "prizes" to be given to locally made pictures. As Dr. Rossi points out, the prizes have got larger and larger, as the industry has grown and prospered; but while government censorship exists, there is no control of the artistic worth of the films to which money is given. Obscenity is condemned, but not vulgarity. So that films like *The Labors of Hercules*, which took in 630 million *lire* at the box office in its first year, was given 101

*Two Fellini films, *La Strada* and *Cabiria*, have been widely shown in America.

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million by the government. And this was not the government's largest contribution nor, alas, the worst film of that year.

Movie-making in Italy is booming. Shady characters in small offices speculate on big names, counting on the prize money. They plan super-colossal productions; some of them are really made, others end only in a rain of unpaid bills and drawn-out Italian law suits.

The *Hercules* films have been a huge financial success in Italy and (to our shame) in America. Dozens of imitations now glut the Italian market, and dozens more are being prepared, on Biblical or classical themes: *The Battle of Marathon, Sappho, The Venus of Lesbos, Constantine the Great, Sodom and Gomorrah, Carthage in Flames* — these are the titles of films recently released or currently being cast. Producers gloomily predict that the classical craze can't last but all of them are desperately trying to slip in under the wire.

Meanwhile, the government's generosity continues. Directors, like Rossellini and Fellini, chafe at government censorship, but few of them (and still fewer producers) want to give up government money.

Rossi compares the film industry in Italy to a kept woman. "If she wants to make love where she likes, then she will have to give up her allowance." Or, she can always go out and work. The box office success of *La dolce vita*, for one example, indicates that, if she once tried it, the kept woman could do very well on her own.

THEATRE

Harold Clurman

LILLIAN HELLMAN'S new play *Toys in the Attic* (Hudson) adumbrates a number of themes. There is first the theme of the havoc that a sudden access of money may cause in the lives of those who have always dreamed of money but never got any. When the ne'er-do-well Julian Berniers comes home to New Orleans, his two doting and indigent sisters are thunder-struck by the gifts he pours on them with a triumphant cry that he has become rich. The gifts are showy clothes for which they have no taste—and disproportionate to what they desire.

This leads to the second theme. The sisters have always spoken of a trip to Europe and the eventual purchase of the old house in which they have lived for many years. But these benefits represent fancies, not appetites. What the sisters need—especially the younger one who is incestuously attached to her brother—is the feeling that he depends on them. This theme is related to the one more fully (and convincingly) stated in Miss Hellman's *The Autumn Garden*: one's destiny is fashioned by what one does, and the dream of a goal other than that toward which one's habitual acts lead is mere self-deception. The sisters are upset by their brother's sudden affluence because it threatens to make him independent of them. Their hankering for Europe and the ownership of the house are toys in the attic—playthings that are useful only as psychological ornament.

Then again the play suggests that some people cannot use money. It is not a reality to them; it is the mirage of their suppressed yearnings. Their actual mode of living precludes them from employing money rationally as an instrument to attain ends for which their behavior has prepared them.

There are still other strands of meaning in the play: persons denied love grow batty; children whose parents were prevented from giving them love become warped. Others whose need for love is frustrated are rendered demoniacally possessive.

All this is interesting and valid. But the actual conduct of the play's narrative jumbles and confuses the various themes. The play is congested by irrelevantly melodramatic turns of plot, implausibilities and jabs of lurid violence. What begins as a fascinating revelation of humble characters in a modest environment turns into a series of hysterical spasms too diverse in motivation wholly to satisfy our aesthetic, or to persuade our moral, sensibilities.

The play is signally well written with that combination of selective realism and subtly rhetorical phrasing which gives Miss Hellman's dialogue a distinction approaching nobility. One's attention is held for at least two acts, but the third act, with its exasperating burst of fireworks, creates the perhaps erroneous impression that we have been craftily deceived.

An admirable cast—Jason Robards, Jr., Anne Revere, Maureen Stapleton, Irene Worth—plays with point and precision. Yet I was gnawed by a suspicion that if the direction had been just a

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little less tightly tidy, if there had been a shade more naturalness or ease of breath, the play might have seemed more truthful.

HENRY IV (Part 1) is a history lavish in language. The tapestry is richly woven with full-bodied characters: Falstaff is in every way so immense that one feels that his substance holds the play together and makes the internecine war which supplies the play's plot secondary to the rank humanity he personifies. I have never failed to enjoy this play, and have always envied the English for having produced a dramatist who could make the world believe that their medieval kings and courtiers spoke with the tongue of genius.

Everything in the Phoenix Theatre production is lucid, sensible, digestible. Eric Berry's Falstaff is very likable, and John Heffernan as a yokel servant and as a rebellious knight plays with a marked instinct for characterization. There is one weak performance, no really bad ones, most are sympathetically earnest. In brief, a meritorious presentation of a masterpiece.

I HAVE conscientiously refrained from reviewing several plays which have opened on Broadway and which have had, or may have, runs of some length. To me they are rotten eggs and it would afford me no pleasure, and the reader little profit, to condemn them. But a play that I might ordinarily consider to belong to this category, Félicien Marceau's *The Good Soup* (Plymouth), shall be made an exception to this rule.

The Good Soup was an enormous success in Paris where I first saw it—and probably, like Marceau's earlier play, *The Egg,* elsewhere in Europe. The author has recently explained that Marie-Paule, the central figure of *The Good Soup,* illustrates what degradation people will subject themselves to if they fear "not having." Marie-Paule is a trollop who finally makes good: she cashes in on the gravy, the "good soup."

The Egg was about a man who learns that the way to win in this world is to cheat: he literally gets away with murder. There were witty touches in *The Egg* and the racy French slang of *The Good Soup* gave it a certain unpleasant but arresting tang of the Paris gutter. But both plays—the latter in particular—are composed of scenes little better than burlesque house blackouts.

Cynicism, when it is informed by shrewd observation, indignation or pain, can serve the purposes of the theatre very well. But Marceau's cynicism is nothing but a pimp's wink. A cast of notable actors—Ruth Gordon, Diane Cilento, Mildred Natwick—demean their talents in such an exhibition.

JEAN GENET'S *The Balcony* (Circle-in-the-Square), which abounds in scabrous verbiage and imagery, is a literary and theatric phenomenon requiring more explanation than space this week permits. I shall return to it. Let it suffice for the moment to say that it cannot be written off as an example either of decadence or of aggressive *avant-gardism,* even though Genêt—like several of his contemporaries in France—might have adopted as his slogan Prince Hal's boast (in *Henry IV*) "I'll so offend, to make offence a skill."

ART

Fairfield Porter

EVER SINCE the academicians associated beauty with that which is respectable and unchallenging, artists have hesitated to use the word. But abstract artists, consistent with their Platonic ideals, associate beauty, an abstract word, with simplicity and coherence. Robert Engman, head of the sculpture department at Yale, exhibits at the Stable Gallery abstract metal constructions, cut, bent and polished from squares of brass, that are baffling in direct proportion to their simplicity and logic. Leather shaped into a shoe is not baffling, for one can imagine its flat origin, and perceive what it has become. But it is hard to follow in Engman's constructions the transition from original flatness to a volume suggesting a surface again. There is a twisted thing that partly rolls and partly rocks on its corners; having a constant diameter, it could do the work of a ball bearing. There is a smooth bent square with two obvious clear holes in it; and these holes are bounded by only one circumference. Constructivist sculpture began a long time ago, but I am aware of none so radically inventive as Engman's. He is neither mathematician, scientist, nor philosopher; what he does is make things up. His experiences are created out of whole cloth without any roughness to catch the burrs of sentiment. In leaving nothing to conjecture, he stimulates your imagination. He is at once completely matter-of-fact and utterly mystifying.

Engman speaks of beauty as an abstract quality, but for Jasper Johns, who exhibits at the Castelli Gallery, beauty is how you do it. He used to try to force your awareness of process by applying it to subjects of such ordinary or exhausted symbolism as the flag or lower-case letters, with the contrary result that he forced you to look at the subject. His ability to animate the vapid was more distinguished than the paint texture. It was as though he printed doggerel in order to make you look at the type face, but succeeded only in giving new life to stale verse. Now he is beginning to give up the subject, and though he fastens window shades and thermometers to the canvas, what one appreciates is the irregularly starry surface of red, yellow and blue strokes. He has been absorbing a great deal from New York style non-objective painting.

WHEREAS Johns opposes subject and performance, finally isolating the performance as a thing in itself, the subject of Jane Freilicher's paintings (at the Tibor de Nagy Gallery) is partly implicit in the performance. Her paintings describe nature, what Blake called the vegetable world of Wordsworth. Their non-objective form sometimes inhibits her sensibility. The subject is the outdoors, the country and the weather. There is a characteristic vertical-diagonal shear across the canvases like a visible cold front. Except for one landscape, dominated by the horizon between dark ground and pinkish sky, presenting the essential structure of landscape, nature is not structure to her, but rather a sensuous experience. As a whole, nature is irregular and it is partly in its specific irregularity that it reveals its presence. Being tied to no place, except near the sea, the irregularity looks abstract. So beauty does not mean for her clarity and logic, but the total fact that nature is naturally specific and never the same.

For Paul Georges, who exhibits fifteen self-portraits at the Great Jones Gallery, beauty is to be found in reality, of which art is the mirror. And for Georges logic is subordinate to reality. Reality is stronger than thought, feeling, the means of its achievement, the artist's ego or his subjectivity. He uses tonal contrasts and close values and a freely decided choice of colors, of which red, green and brown stand out. His paint is

Marriage Song

womanliness is a vase
without flowers it sits upon a shelf
love permeates the small white room
a fragrance thyme or marjoram
i sing of you who gave me
this garland round my soul

SUSAN MOIRA MOK

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thick and juicy. In the large painting facing the door, divided into the painter on one side and the wide brown back of the canvas on the other, there is a rapid linear indication of the feet. All these means, any means at all, and the variety of individualities in one single model, impress on you the reality of the person looking out at you. Realist painters often complain that the human figure should be the chief concern of art, and that it is missing from current styles. But most of these artists seem to see only some arbitrary, even abstract concept of the way man should look. They see a lay figure or a caricature: they do not see without prejudice. Because Georges gets an unprecedented and always different individuality, he can be called one of the few true realists painting in New York.

RECORDS

Lester Trimble

A NUMBER of contemporary American works which have found their way to the recording studio recently are sufficiently distinguished to encourage anyone looking hopefully for signs of the cultural explosion the United States is supposed to be undergoing.

Perhaps the most interesting record of the group I have before me is the one made under the auspices of the American International Music Fund, an organization founded by the late Serge Koussevitsky to aid live composers. To mark its tenth anniversary, the fund's directors instituted in 1958 a recording guarantee project. This provided that leading symphony orchestras in the United States and Canada should perform a number of works new to their repertories, and record the performances on tape. Copies of these tapes were then placed in the Library of Congress, the Philadelphia Free Library and the public libraries of New York, Los Angeles, Minneapolis, Cincinnati and Dallas, for audition by persons who might promote their future performance. From the group of fifty-two works taped in the first year, two were selected for recording under commercial auspices. The jury for selection consisted of Nadia Boulanger (France), Carlos Chavez (Mexico) and Alfred Frankenstein (U.S.), and the works they chose were the *Symphony No. 1* by Easly Blackwood and the *Symphony No. 2* by Alexei Haieff. Judging by their quality, I would say the jury must have done its work with discernment.

EASLY Blackwood's *Symphony No. 1* was written when he was twenty-two years old (he is twenty-seven now), and there is no mistaking the mark of extraordinary talent upon it. It has a technical fluency which composers sometimes labor a lifetime to achieve; it not only uses the orchestra with the kind of virtuosity that seems to be second nature to recent generations of Americans, but goes beyond this to pose arresting ideas. The first movement is as stimulating and convincing a pronouncement as I have heard in a long time.

The work often reflects the style of Shostakovitch, has passages openly devoted to the Hindemith of *Mathis der Maler* and a movement stemming from the oom-pa-pa waltzes of the late, late Viennese, but these influences do not much disturb me. Echoes of other people's styles are to be expected in a composer of such facility and youth. They are cause for concern only if they show the hand of an absorptive academic type, and on the evidence of this symphony, Blackwood is not one of these. He speaks from an individual mind. There are spots in the *Symphony No. 1* where the composer's gestures, though well executed, do not mean very much. That is the work's only major flaw, and on balance I find it a piece that I will want to hear often again.

Alexei Haieff's *Symphony No. 2*, which shares the disk, is a more mature work and an admirable one. According to the program notes, it is a transcription of an earlier piano sonata; that is surprising, for the symphony sounds innately orchestral.

Haieff is one of those composers to whom Stravinsky is obviously God; at a number of crucial points he lapses into the language of his master, and at such moments his work loses thrust. Nevertheless, he is capable of strong, original statements, and large portions of this symphony are utterly convincing by virtue both of their economy and their elegance. (RCA Victor LM-2352).

COMPOSERS RECORDINGS, INC., has issued a splendid performance of Miriam Gideon's *Symphonia Brevis*, conducted by Jacques Monod, with the Radio Orchestra of Zurich. On the same disk are Charles Mills's *Prelude and Dithyramb*, Paul Schwartz's *Concertino for Chamber Orchestra* and Paul Pisk's *Passacaglia*. These last three works are all of professional caliber, and attractive, but the *Symphonia Brevis* is clearly ahead of them in authority and pungency. Miss Gideon seems to have absorbed some of the technical principles which underline the music of Stravinsky and, perhaps, Schoenberg. But her message and manner are her own, and her craft is as lovely and meticulous as Vermeer's. Her *Symphonia* should be picked up by the major orchestras (CRI-128).

JOHN CAGE's *25-Year Retrospective Concert*, reviewed in these columns on May 31, 1958, was recorded on the spot, at Town Hall, and pressings are now available from George Avakian, Box 374, Radio City Station, New York 19. Mr. Avakian's wife, the violinist Anahid Ajemian, is one of the performers on the disk, and it is appealingly evident that both husband and wife put great faith in Mr. Cage's music. Listening to these records, I find that my opinion of the music is exactly what it was when I heard it the first time. In the process of recording, a couple of the works have been enhanced by the recorded hall resonance, and one, which looked and sounded silly in performance (the composer patting the wood of the piano), now only sounds silly. Otherwise, the records are a faithful reproduction of the event.

These records are a valuable docu-

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ment, because Cage has been a center of disputatious activity for a long time, and is a clearly profiled figure in contemporary American musical life. Some of the individual pieces are more winning than is the Retrospective as a whole. This supports my suspicion that the worst idea in the world is a long, retrospective program of one composer's music. There is not time in a single evening to give the kind of overview provided by a retrospective showing of paintings. And, with music, there is no possibility of withdrawing attention, as one can do at a gallery. The audience is captive; it *must* listen. I find that the music's irritation potential takes over at the same point on the records as it did in the hall. For a comparison with the original effect, purchasers of these disks might, just once, listen to them straight through.

INQUISITION

(*Continued from page 241*)

the applicant, cross-examine him, or otherwise harass him, it will fail of its purpose. Few Negroes will be willing to submit to such an ordeal.

The original Attorney General's bill was later modified to preclude such tactics in the proceeding before the Voting Referee. But it still allows state officials to contest the Referee's recommendation before the court. Such a proceeding is restricted to consideration of any "genuine issue of material fact" and the applicant's "literacy and understanding of other subjects" must be determined only on the basis of his answers made to the Referee. Yet there remains opportunity for questioning and otherwise harassing the applicant on other issues, particularly as to whether he has exhausted his remedies before state officials.

The Hennings bill is perhaps the best on this score. It allows a challenge only at the time a federally registered voter casts his ballot, and the challenge must be made by suit in a federal court. Such a challenged vote must be counted, subject to the later determination of its validity in the court proceeding. The Douglas-Javits bill is similar, but permits a challenge prior to the actual casting of a ballot. The procedure under both bills affords some opportunity for harassment. But the postponement of challenges until the voter has cast his vote (or been certified as eligible), and the requirement that a new suit be instituted in federal court to raise the issue, lessen the likelihood that the right to challenge will be abused.

4. Enforcement of the Right to Vote. Enforcement of the right of the federally registered voter to cast his vote and have it honestly counted is, of course, vital to the whole scheme. In this respect the Attorney General's bill offers an advantage by permitting summary contempt proceedings in the litigation already in progress. The Hennings bill relies for enforcement upon newly instituted injunction or criminal proceedings. The Douglas-Javits bill is similar, except where the Attorney General's procedure has been employed.

The latter two bills have been criticized for the inadequacy of their enforcement procedures. But this problem, which occurs at the terminal stage of the procedure, may not turn out to be as difficult as predicted.

The failure of state officials to allow a federally registered voter to vote would produce a clear-cut and readily proven issue. If enforcement bogs down at this stage the only recourse, as the South is presumably aware, is full control of the election process by the federal government.

IN SUMMARY, our analysis indicates that the Attorney General's bill is crucially inadequate in its treatment of three of the four major stages in a federal registrar system. It requires a full-scale judicial proceeding in each election district before the system can be put into operation; it severely restricts the class of persons eligible to apply for federal registration; and it opens substantial possibilities of harassment and delay in the procedure of registration itself. The advantage it offers in readier use of contempt enforcement is more than offset by these deficiencies.

The Hennings bill is seriously defective only at the first stage. But this is crucial. Like the Attorney General's plan, it could be put into operation only in a relatively few election districts over the course of years.

The Douglas-Javits bill, which has received little attention, offers the best possibilities of success. If vigorously administered, it should prove effective in permitting substantial numbers of Negroes to vote in federal elections. Under such circumstances the franchise is likely to be extended, at least in many localities, to state elections also. If this does not occur, the alternative provisions incorporating the court-appointed referees at least are no worse than the Attorney General's bill.

EVENTS may prove that no system of federal registrars or referees can be made to work. All such plans rest ultimately upon the judicial process to force recalcitrant, ingenious and committed state officials to do what they are resolved not to do. All plans, in providing for federal registration of Negro voters only, contain elements of Jim Crowism. None of the plans deals directly with the underlying problems of physical intimidation and economic coercion which keep many thousands of Negroes away from the polls.

But it is vital that those genuinely concerned with equality in voting, both in the legislature and out, insist that Congress do the best it can within the framework now accepted. It is unlikely there will be another favorable opportunity within the next few years. And the failure of Congress to devise legal techniques adequate to solve the voting problem can have the most dangerous repercussions in the whole struggle for equality through law.

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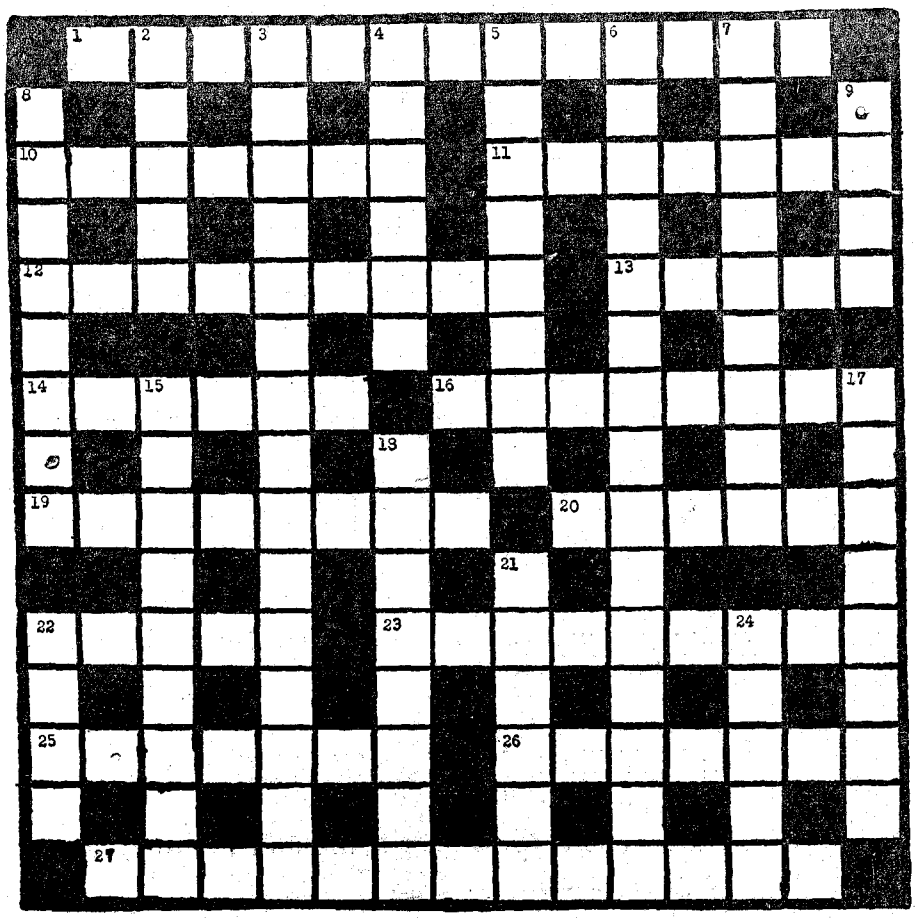

ACROSS:

1 Interesting meeting place when coming through the Rye! (8, 5)
10 They might be beat on a sailor's chest. (7)
11 Often grand in the first business. (7)
12 Copper meeting, as the Englishman's castle isn't likely to be heated (9)
13 Back at what Markham's man was with at the lake. (5)
14 See 22 down
16 Rather a grim sort prior to ancient Calendula. (8)
19 Shake the devil out of what Grant did to Lee. (8)
20 What one probably does without any honor. (6)
22 Look over the state of the line formed in a ball, perhaps. (5)
23 Repeaters might be. (9)
25 Frank might have this privilege. (7)
26 Light vessel of old, yet made of iron. (7)
27 It's nut-green in a dull background. (13)

DOWN:

2 Prometheus was one. (5)
3 The art of keeping up with yesterday, according to the maxims of archy. (15)
4 It doesn't help when put on top of Trauma. (6)
5 Certainly not a bad time for the inventor. (8)
6 He might be happy if part of his client is fat. (10, 5)
7 The sort of horse Bing found nearby. (9)
8 A crazy cat's coat should be short. (8)
9 An arch sort of disappointed remark! (4)
15 The ability to remember, or enter into an arrangement. (9)
17 After dinner, they may be wrongly emphasized. (8)
18 Part of the Summer in Guernsey is spent in getting one of those 17. (8)
21 Save things to stick on the gaming table? (6)
22 and 14 Pay for what the Pilgrims did? (4, 6)
24 Ghosts play by him. (5)

SOLUTION TO PUZZLE NO. 858

ACROSS: 1 Obligatory; 6 Area; 10 Embroil; 13 Diminuendo; 15 Endowed; 16 Hand-set; 17 Instead; 20 Best man; 22 Lactic acid; 23 Onus; 25 Avenges; 26 Limpopo; 27 Dust; 28 Bridegroom.
DOWN: 1 and 11 Over the Hills and Far Away; 2 Labored; 3 and 12 Good turn; 4 Tallied; 5 Raffish; 7 Rewinds; 8 Any port in a storm; 9 Proudness; 14 Sweepings; 18 Secrets; 19 Dear sir; 20 Bridled; 21 Mindoro; 24 Smug.

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